

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29984 of 2019

Arising Out of PS. Case No.-330 Year-2018 Thana- VAISHALI District- Vaishali

GAUTAM KUMAR S/o Dr. Satyendra Kumar @ Satyendra Kumar, R/o
village- Chondi Bindeshwar Bhawan, Alakhnath Road No. 5, P.O.- Barh, P.S.-
Barh, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Vaishali P.S. Case No. 330 of 2018 registered
for offence punishable under sections 467, 468, 409, 420/34 of
the Indian Penal Code and section 7 of the Essential
Commodities Act.

The petitioner was incharge of Krishak Seva Kendra,
Bhagwanpur Ratti, in collusion with other staff posted there,
fraudulently and dishonestly misappropriated the huge quantity
of fertizer and mustard oil which comes to Rs.14,77,353/-.

The learned counsel for the petitioner submits that the
petitioner is ready to return the 25% of the said amount with the
BISCOMAUN within thirty days.



In such view of the matter, the petitioner in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on **provisional bail** on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No.330 of 2018, subject to the conditions as laid down under section 438 Cr.PC and also condition that the money should be deposited within thirty days. The bail of the petitioner will be confirmed after depositing 25% of the total amount as stated above. In failure to deposit the money within the prescribed period, the relief, which has been granted to the petitioner, will be treated to have been withdrawn. Further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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