

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31258 of 2019

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

UPENDRA PRASAD SINGH Son of Raj Narayan Singh Resident of Village
- Madhurapur Kushday, P.S.- Lalganj, District - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-05-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Vaishali P.S. Case No. 330 of 2018 for the offence punishable under Sections 467, 468, 409 and 420/34 of the Indian Penal Code and Section 7 of the E.C. Act.

The petitioner was, at the relevant point of time, posted as night guard of Krishak Seva Kendra at Bhagwanpur Ratti. It is alleged that he, along with the godown incharge, Gautam Kumar, fraudulently sold huge quantity of fertilizer and mustard oil kept in the godown worth Rs.14,77,315.00.

Learned counsel appearing on behalf of the petitioner has submitted that night guard cannot have any role in fraudulent selling of fertilizer. She has argued that the main allegation of defalcation is against Gautam Kumar and Laxman Kumar of defalcation of money.



Considering the facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in Vaishali P.S. Case No. 330 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Pawan/-

U		T	
---	--	---	--

