

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37605 of 2019**

Arising Out of PS. Case No.-324 Year-2018 Thana- WARISLIGANJ District-
Nawada

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SMT. SHAIL KUMARI, aged about 65 years, female, Wife of Sri Krishna Nandan Singh @ Krishnandan Singh Resident of Village - Naromurar, P.S.- Warisaliganj, District- Nawada.

... .. Petitioner

Versus

1. The State of Bihar
2. The Managing Director, Bihar State Food and Civil Supplies Corporation. Bihar

... .. Opposite Parties

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Appearance :

For the Petitioner : Mrs. Babita Kumari, Advocate.

For the Opposite Parties: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 406, 409 of the Indian Penal Code registered in connection with Warisaliganj P.S. Case No. 324 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that Kutari PACS of which the petitioner is the Chairperson, had acquired 3224 quintals of paddy but a proportionately lower quantity of CMR of 540 quintals only had been supplied to the BSFC. It is submitted that any shortage in that regard was the responsibility of the concerned rice mill to which the entire amount of procured paddy of 3224 quintals had been supplied as evident from the F.I.R. lodged in Warisaliganj P.S. Case No. 282 of 2018 against the rice mill. It is therefore submitted that no offence as alleged is



made out against the petitioner who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nawada in connection with Warisaliganj P.S. Case No. 324 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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