

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70378 of 2018

Arising Out of PS. Case No.-174 Year-2018 Thana- BARUN District- Aurangabad

1. Akshya Saw @ Akshya Kumar S/o Krishna Saw, R/o Village Kazichak, P.S. Barun, District - Aurangabad.
2. Anuj Kumar, S/o Rabindra Singh, R/o Village Siris, P.S. Barun, District Aurangabad.
3. Ramjee Chauhan, S/o Munarik Chauhan, R/o Village Tandwa Mansurpur, P.S. Barun, District-Aurangabad.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party : Mr.Rajendra Pd. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 28-02-2019 As prayed, learned counsel for the petitioners is permitted to make corrections in the name of villages of petitioner nos. 2 and 3 as “Siris” and Tandwa” in place of “Bhoputpur” and “Hedwa” respectively, in the array of parties in course of the day.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners apprehend their arrest for the offences alleged under Sections 420, 406, and 409/34 of the Indian Penal Code registered in connection with Barun P.S. Case No. 174 of 2018.

4. It is submitted that the petitioners, who are PACS Mangers of Kachichak PACS, Bhoputpur PACS and Kochad PACS respectively, have been falsely implicated on the accusation that paddy was supplied but corresponding CMR rice was not deposited. It is submitted that the amounts in default have been deposited in entirety since then. On the same set of allegations, similarly situated co-accused persons, who are Chairmen of Kachichak PACS,



Bhoputpur PACS and Kochad PACS respectively, have been granted anticipatory bail by this Court vide order dated 21.01.2019 passed in Cr. Misc. No. 72609 of 2018. The petitioners claim clean antecedents.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 174 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

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

BT/-

(Vikash Jain, J)

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