

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72609 of 2018

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

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1. Yamuna Saw S/o Late Bhudhan Saw, resident of Village- Kazichak, P.S. Barun, District- Aurangabad.
 2. Laxuman Singh @ Laxman Singh, S/o Late Deochand Singh, resident of Village- Bhoputpur, P.S. Barun, District- Aurangabad.
 3. Sanjay Chauhan, S/o Late Thakur Chauhan, resident of Village- Hedwa Mansurpur, P.S. Barun, District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mrs.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

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

3. It is submitted that the petitioners who are the Chairmen of Kazichak PACS, Bhoputpur PACS and Kochad PACS respectively, have been falsely implicated in connection with non-deposit of CMR against the paddy supplied. It is submitted that pursuant to the orders of this Court granting four weeks' time the entire dues against CMR amounting to Rs. 15,33,320.14, Rs. 17,30,100.73 and Rs. 22,02,711.92 has now been deposited by the petitioners and 'no due certificate' have been issued to them. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 bond of Rs.10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of learned CJM, Aurangabad, in connection with Barun P.S. Case No. 174 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 petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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.
- iv. 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.

(Vikash Jain, J)

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