

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33407 of 2018

Arising Out of PS. Case No.-153 Year-2015 Thana- AMAUR District- Purnia

-
-
1. Md. Shamim @ Md. Shamim Akhtar, S/o Md. Hifjuddin,
 2. Abdul Matleeb, S/o Gyasuddin, Both R/o Vill.- Bara Laltoli, P.S.- Amour, Distt.- Purnea.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Surendra Prasad, S/o Late Prithwi Chand Gupta, The in-Charge of the Purnea District Central Co-Operative Bank Ltd. Purnea, Branch Amour, Distt.-

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mira Kumari
For the Opposite Party/s : Smt. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 13-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406, 420, 409/34 of the Indian Penal Code.

Today, a supplementary affidavit has been filed on behalf of the petitioners, which is on the record.

It appears that this Court had earlier refused the prayer for anticipatory bail to the petitioners on 23.02.2017 in Criminal Miscellaneous No.45150 of 2016, vide order at *Annexure 1*, considering the allegation that the petitioners were Chairman and Manager of the referred PACS in the district of Purnea and the allegation was that they withdrew money for purchase of wheat from



the farmers at the subsidized rate but they did not purchase the same.

Learned counsel for the petitioners submits that the new fact for reconsideration has come because the petitioners have already deposited the entire withdrawn money.

Learned counsel for the informant submits that he has instruction that in fact the petitioners have refunded the principle amount withdrawn from the Bank account.

Considering the changed circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Amour Police Station Case No.153 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Kumar, J)

abhishek/-

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

