

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44568 of 2019

Arising Out of PS. Case No.-257 Year-2017 Thana- BIHIA District- Bhojpur

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Jitendra Singh Son of Rajendra Singh Resident of Village- Baruna, P.S.-
Bihia, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 420/406 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The petitioner is Chairman of the PACS. Allegation is that 743.44 quintals of rice was not provided to the food corporation and cost of which was Rs. 16, 47,682/-.

Submission of the learned counsel for the petitioner is that it is decision of the Managing Committee and the petitioner is only to implement the decision as directed. Therefore, the petitioner cannot be alleged solely responsible for any lapses on the part of the PACS. **Moreover, the**



petitioner is ready to deposit 25% of the claimed amount as condition precedent for grant of bail under protest. The petitioner is in custody since 25.03.2019. Investigation of the case is already complete.

Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bihia P.S. Case No.257 of 2017, **with condition that petitioner shall comply his undertaking of deposit of 25% of claimed amount.**

(Birendra Kumar, J)

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