

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58165 of 2018

Arising Out of PS. Case No.-324 Year-2018 Thana- GARKHA District- Saran

Ajay Kumar Singh son of Late Pashupati Nath Singh, Resident of Village-
Fursatpur, P.S.- Garkha, District- Saran Chapra.

... .. Petitioner

Versus

1. The State Of Bihar
2. Bihar State Food Corporation Limited, Patna

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ram Kishore Singh, Advocate
For the State	:	Mr. Pawan Kr. Chaurasia, APP
For the BSFC	:	Mr. Shailendra Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 23-01-2019 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 and 409 of the Indian Penal Code registered in connection with Garkha P.S. Case No. 324 of 2018.

3. It is submitted that the petitioner, who happens to be the Chairman of Mukimpur PACS, has been falsely implicated in the backdrop of non-delivery of 270 quintals of CMR and thus defalcated Rs. 6,74,484.98. It is submitted that in any event, the amount in question has since been deposited by the petitioner and no dues certificate dated 06.08.2018 (Annexure-2) has been issued by the Bihar State Co-operative Bank Limited. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the BSFC appears and has been heard.

5. 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-XIV, Saran, Chapra, in connection with Garkha P.S. Case No. 324 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) 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.

(Vikash Jain, J)

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