

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62932 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- NAVINAGAR District- Aurangabad

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1. Avinash Kumar Singh S/o Harendra Singh,
 2. Arun Kumar Singh, S/o Deep Narain Singh, Both are Resident of Village- Bara, P.S.- Nabinagar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bihar State Food Corporation, Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-02-2019 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, 406/34 IPC registered in connection with Nabinagar P.S. Case No. 245 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation of not having supplied 737.11 quintals of CMR. The petitioner no. 1 is the Chairman and the petitioner no. 2 is the Manager of the Tol PACS. A statement is made at Bar that the value of the CMR allegedly short supplied has since been deposited in full and for which no due certificate has been issued.

4. In the meantime, in the event of petitioners arrest or surrender within four weeks hereof let the above named petitioners be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] each with two sureties of like amount each to the satisfaction of learned ACJM



Ist, Aurangabad in connection with Nabinagar P.S. Case No. 245 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 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

5.The provisional anticipatory bail shall stand confirmed upon verification of the correctness of the petitioners' claim that the entire dues towards short supply of CMR has since been deposited and no further dues remains outstanding against the petitioners. In case the said claim is not found verifiable, the provisional anticipatory bail shall stand cancelled.

Chandran/-

(Vikash Jain, J)

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