

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71502 of 2018

Arising Out of PS. Case No.-124 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Nakku Ray Son of Late Kewal Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
 2. Abhijeet Kumar @ Abhijeet Kumar Singh, Son of Sudhita Prasad Singh, Resident of Village- Bochaha, Police Station- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Bihar State Food & Civil Supplies Corporation Ltd., Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh
For the Opposite Party/s	:	Mr.Parmeshwar Mehta
For the BSFC	:	Mr. Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 06-03-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406 and 420/34 IPC registered in connection with Mohiuddin Nagar P.S.Case No. 124 of 2018.

3. It is submitted that the petitioners who are the Chairman of Bocha PACS and Kurshaha PACS respectively, have been falsely implicated and in any event, it is submitted that the entire amount of Rs. 6,54,100/- and Rs. 3,36,644/- which was received by way of cash credit for purchase of paddy from farmers has since been deposited by them together with interest and in respect of which the concerned bank has issued no due certificate in favour of the petitioners. The petitioners claim clean antecedents.

4. Be that as it may, 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 ACJM III, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 124 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.
- v. The learned Court below shall verify that the amounts of Rs. 6,54,100/- and Rs. 3,36,644/- have been deposited together with interest by the petitioners and the Samastipur District Central Co-operative Bank Limited, Dalsingsarai Branch has issued no due certificate in that behalf.

(Vikash Jain, J)

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