

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71671 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- BHORE District- Gopalganj

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1. Keshav Dubey and Anr S/o Late Paras Nath Dubey, resident of Village-Barachap,
 2. Shailendra Pandey S/o Late Raghunath Pandey, resident of Village-Hussepur, Both P.S.- Bhorey, District- Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-04-2019 This application, for grant of anticipatory bail, arises out of Bhorey P.S. Case No. 271/18, disclosing offences under Sections 409/34 of the Indian Penal Code.

Petitioner no. 1 happens to be the Chairman and petitioner no. 2 is the Manager of Hussepur PACS (Bhorey Block) and allegation against them is that they purchased 1190.30 quintals of paddy from the farmers for the year 2017-18, out of which, only 805.98 quintal of paddy was supplied to the State Food Corporation and rest 384.22 quintal paddy worth Rs. 5,96,696/- (Rs. Five Lakhs Ninety Six Thousand Six Hundred Ninety Six) were sold by the petitioners in open market) thus causing loss to Government exchequer.

Submission of learned counsel for the petitioners is that they have already deposited the amount in dispute i.e. Rs. Rs.



5,96,696/- (Rs. Five Lakhs Ninety Six Thousand Six Hundred Ninety Six), which will be evident from Annexure – 3, which is a certificate given by the Cooperative Extension Officer, Bhorey (informant).

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Bhorey P.S. Case No. 271/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear if the above certificate showing deposit of the amount in question, is found forged, prosecution will be at liberty to move for cancellation of bail bonds of the petitioners.

(Vinod Kumar Sinha, J)

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