

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50202 of 2019

Arising Out of PS. Case No.-49 Year-2018 Thana- FESHAR District- Aurangabad

Abhiram Kumar @ Abhiram Prasad @ Abhiram Vishwakarma, aged about 21 years, Male, Son of Late Bhagvat Vishwkarma Resident of Village- Pirounta, P.S.- Phesar, District - Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2019 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and perused the case diary.

The petitioner is in custody in connection with Phesar P.S.Case No.49 of 2018 registered for an offence under Sections 420 and 409/34 of the Indian Penal Code.

As per prosecution case, the informant alleges that there is embezzlement in the PACS and the involvement of the petitioner, being the president of the said PACS, in this regard cannot be ruled out.

It is submitted that petitioner is President of PACS and also Mukhiya of Kurma village Panchayat so he has falsely been implicated in this case. It is also submitted that there is



agreement between Manager and Miller regarding giving paddy and taking CMR and there is no specific role of the petitioner in the alleged offence. It is also submitted that chargesheet has already been submitted and petitioner is in custody since 08.02.2019.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Aurangabad in connection with Phesar P.S.Case No.49 of 2018 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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