

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2556 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- ATHMALGOLA District- Patna

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Jitendra Prasad @ Jitendra Prasad Singh, Son of Late Ram Pyare Singh,
Resident of Village - Rahimapur, P.S.- Athamalgola, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore Sinha, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Athamalgola P.S.
Case No. 191 of 2019 registered for the offence(s) punishable
under Sections 419 and 420 of the India Penal Code and Section
7 of the E.C. Act.

As per the prosecution case, the informant intercepted a
pick-up van and after searching the van there was recovery of 58
bags of rice each weighing 50 Kg. On enquiry, the driver of the
van disclosed that the rice was loaded from the place of the
petitioner.

It is submitted on behalf of the petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from the conscious possession of the petitioner. The
petitioner has been made accused in this case only on the



confessional statement of the co-accused (driver of the van) Gautam Kumar. Moreover, the licence of the PDS shop of the petitioner has been cancelled by the Licencing authority.

Considering the aforesaid facts and circumstances as well as the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh in connection with Athamalgola P.S. Case No. 191 of 2019 on the following conditions:

“(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

Ankit/-

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