

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4916 of 2020

Arising Out of PS. Case No.-26 Year-2017 Thana- KALER District- Jehanabad

Dharmendra Kumar Son of Madan Prasad Resident of Village - Singhia Sagar
Pipra, P.S.- Banjaria, District- East Champaran (Motihari)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s A.K.Thakur and Babita Kumari

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kaler P.S. Case No. 26/2017 registered for the offences
punishable under Sections 406, 420, 409/34 of the Indian Penal
Code.

Petitioner is not named in the first information report
and impugned order goes to show that in course of
investigation, it came to light that petitioner purchased two
trucks rice from grain dealer, namely, Birendra Kumar.

Submission on behalf of the petitioner is that even if
the aforesaid fact assumed to be true, then also, petitioner
happens to be *bona fide* purchaser as the petitioner has not
purchased defalcated grain from any officers rather in routine
manner, he purchased the grain in question from his grain



dealer.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall 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 Judicial Magistrate 1st Class, Gaya/concerned court in Kaler P.S. Case No. 26/2017 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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