

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6655 of 2020

Arising Out of PS. Case No.-220 Year-2019 Thana- BAHADURGANJ District- Kishanganj

1. REHAN AKHTAR @ REHAN AZAD S/o Late Ziaur Rahman Resident of Village- Palasmani, P.S.- Bahadurganj, Distt- Kishanganj.
2. Raj Kumar S/o Late Ram Babu Ram C/o Champion Electronics Vill- Bochachak, PO/ PS- Pholwarisahrif, Distt- Patna At present Parkhand Sahakrita Parshar Padhadikari, Bahadurganj, Distt- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 01-07-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in a case registered under Sections 406, 409, 120(B), 34 of the Indian Penal Code.

Allegation against petitioners is of embezzlement and misappropriation of wheat grain of government amounting Rs. 4,96,800/- which was to be deposited till 30.06.2019 but the same was not deposited within due date.



It has been submitted on behalf of petitioners that petitioner No. 1 is Ex-Chairman of PACS and petitioner No. 2 is Block Cooperative Officer, Bahadurganj and they are falsely implicated in this case due to local dirty politics. It has been further submitted that petitioner No. 1 has already deposited Rs. 4,96,800/- on 19.11.2019 i.e. price of the wheat and got no dues certificate from the Purniya, Central Cooperative Bank Ltd., Purniya vide letter No. 152 dated 19.11.2019. Petitioners have no criminal antecedents.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Bahadurganj P.S. Case No. 220 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(3) If the petitioners tampers 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 petitioners.

(S. Kumar, J)

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