

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10258 of 2020

Arising Out of PS. Case No.-14 Year-2018 Thana- RANIYATALAB District- Patna

RAKESH KUMAR Son of Sri Mathura Prasad Singh Resident of Village-
Masaurhi Kala, Masaurhi, Makhmilpur, P.S.-Paliganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-07-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406, 420 of
the Indian Penal Code.

The prosecution story as lodged by the informant is
that the petitioner collected price in excess of prescribed price
from customers while supplying sand to them (customers) and
did not reply the show cause sought.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that none of the customers has given a single
complaint against the petitioner regarding taking of excess



amount. He submits that after getting the knowledge of the case, the petitioner gave an application before the General Manager, Bihar State Mines Development Corporation upon which the Officer concerned conducted inquiry and after proper inquiry, the Officer submitted its report stating that none of the customer had given excess amount and to support the contention.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Rani Talab Police Station Case No. 14 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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