

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25306 of 2020

Arising Out of PS. Case No.-99 Year-2019 Thana- MANJHAGARH District- Gopalganj

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UMESH PRASAD S/o Late Raghuv eer Prasad Resident of Village-
Manjhagarh Shekhtoli, Police Station-Manjhagarh, District-Gopalganj at
present Director-cum-Assistant Manager of PACS, East Manjhagarh, Resident
of Gram Panchayat Raj East Manjhagarh, Police Station-Manjhagarh,
District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 09-11-2020 Heard learned counsel for the petitioner and learned

APP for the State through video conference. Learned counsel for
the petitioner undertakes that all defects pointed out by the
stamp reporter shall be removed, and compliance with the
conditions of the notices of this Court with regard to acceptance
of e-filing shall be made, without delay immediately upon
resumption of normal physical functioning of the Court, and in
any event within one month thereof. Learned counsel for the
State states that he has no objection in this regard and the matter
be taken up on merits in view of the stated urgency.

2. The petitioner apprehends his arrest for the offences
alleged under Section 7 of the E.C. Act, registered in connection



with Manjhagarh P.S. Case No. 99 of 2019, corresponding to G.R.No. 1164 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged irregularities in the PACS of which the petitioner is the Director-cum-Assistant Manager. The stock register in question could not be produced upon demand as the petitioner had gone to Gorakhpur for his treatment as informed by co-accused Julfekar Ali Bhutto, President of the PACS. The FIR has been instituted after considerable delay of about three months i.e. on 23.04.2019 for the alleged occurrence of 25.01.2019. Moreover, the FIR has been filed in the backdrop of the prior Complaint Case No. 200 of 2019 filed by the aforesaid co-accused Julfekar Ali Bhutto against the SDO (Annexure-2) on 25.05.2019 itself. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate,



Gopalganj in connection with Manjhagarh P.S. Case No. 99 of 2019, corresponding to G.R.No. 1164 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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