

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5772 of 2021**

Arising Out of PS. Case No.-9 Year-2020 Thana- FATEHPUR District- Gaya

AJAY KUMAR, SON OF GIRDHARI PRASAD RESIDENT OF VILLAGE-  
KANTI, P.S.- FATEHPUR, DISTRICT- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate.

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      15-11-2021                      Let the defects, if any, be removed within four weeks  
of the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 406, 420 and 120B of the Indian Penal Code and Section 7 of the E.C. Act.

Submission is that though allegation is there in the F.I.R., however there is complete lack of evidence that the rice which was recovered from the auto rickshaw was of the PDS shop of the petitioner. Petitioner has got no criminal antecedent.

Considering the aforesaid material, let the petitioner, above named, in the event of his arrest or surrender



before the Court below within a period of thirty days 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 court below where the case is pending in connection with Fatehpur P.S. Case No. 09 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below

(c) The petitioner shall not leave the country without permission of the trial Court.

**(Birendra Kumar, J)**

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