

Sanjeev Kumar @ Sanjeev Kumar Singh Vs. the State of Bihar

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Court : Patna

Decided On : May-13-2012

Appellant : Sanjeev Kumar @ Sanjeev Kumar Singh

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.42220 of 2011 Sanjeev Kumar @ Sanjeev Kumar Singh S/O Late Surendra Singh R/O Village - Gajipur, Police Station - Krishnagarh (Barahara), District - Bhojpur (Ara). ----- Petitioner. Versus The State of Bihar -----Opposite Party ***** With Criminal Miscellaneous No.44255 of 2011 Jitendra Kumar, son of Yugeshwar Sah, resident of village - Saraiya, P.S. Krishnagarh (Barahara), District-Bhojpur. ----- Petitioner. Versus The State of Bihar ---Opposite Party ***** 02. 13.01.2012 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State. Both petitioners apprehending their arrest in connection with Barahara P.S. Case No. 165/2011 for the offences under Sections 409 of the Indian Penal Code, are named accused in this case as P.D.S. Dealer to whom some amount of food-grains was kept for distribution under SGR Yojana during the period 2002-2004. Some quantity of grains are still lying, neither it is being returned nor money is being deposited. Submission is that in fact it is a matter of accounting and petitioners have already deposited more than 35% of value of rice contained in respective notices issued against them and vide order dated 22.12.2011 passed in C.W.J.C. No. 19422/2011, they are required to submit detailed representation within six weeks which are to be disposed of within

subsequent four month by the B.D.O. Barhara, Bhojpur, meanwhile, no coercive steps is to be taken against them. Considering the facts and circumstances of the case specifically orders of this court aforementioned, in the event of their arrest or surrender within a period of four weeks, subject to filing of representation as ordered in C.W.J.C. No. 19422/2011, let the above-named petitioners be enlarged on bail on furnishing bail bond of sum of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur, Ara, in connection with Barahara P.S. Case No. 165/2011, subject to condition under section 438(2) of the Code of Criminal Procedure, and additional condition to attend the court regularly till filing of representation, in the event of failure on two consecutive dates, without any reasonable explanation, the privilege granted shall be deemed to be cancelled. Rajeev/- (Akhilesh Chandra, J.)

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