

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29484 of 2015

Arising Out of PS.Case No. -120 Year- 2013 Thana -PANDAU District- MADHUBANI

Akshay Kumar son of Late Jamun Singh, residnt of village Thedhya P.S.
Fatuha, district Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar
For the Opposite Party/s : Mr. G.S.Gupta(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 15-10-2015 Heard learned counsel for the petitioner and learned
counsels appearing on behalf of the B.S.F.C. and for the State.

The petitioner apprehends his arrest in connection with
Pandaul P.S. Case No.120 of 2013 registered for the offences
punishable under Section 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner was posted as Godown in-charge of the District Foods
Corporation Ltd. Pandaul, Branch and during his term an
allegation has been made that he had misappropriated rice worth
Rs.7,67,626/-.

It is submitted on behalf of the B.S.F.C. that the
petitioner was facing similar allegation as that of Jhanjharpur and
Madhepur Godowns, in which the petitioner has already been

extended the privilege of anticipatory bail by this Court vide order dated 08.10.2015 passed in Cr. Misc. No.2320 of 2015.

Considering the aforementioned facts and in view of the fact that in another case the petitioner having similar allegation has been granted anticipatory bail, let the petitioner, above named, in the event of his arrest or surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order, be also enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No.120 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

However, it is made clear that if the petitioner does not present himself before the audit team and fails to explain the reasons, it shall be open for the opposite party to take appropriate legal recourse or modification of the order in accordance with law.

V.P.Sinha/-

U			
---	--	--	--

(Anjana Mishra, J)