

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40098 of 2014

Arising Out of PS.Case No. -63 Year- 2013 Thana -KOTWALI District- MUNGER

1. Shiv Shankar Prasad Son of Late Mannu Mandal Resident of Mohalla -
Kushwaha Tola, Madhopur, P.S. - Kotwali, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-03-2015 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is apprehending his arrest in
connection with Kotwali P.S. Case No. 63 of 2013 registered
under sections 406, 409, 419, 420, 467, 468, 469, 471, 129(B)/34
of the Indian Penal Code and Section 7 of the Essential
Commodities Act.

Learned counsel for the petitioner submits that the
petitioner is merely a Peon in the Bihar Gramin Bank situate at
Munger. It appears that there was some dispute with regard to the
paddy belonging to one Sanjay Kumar Sah, Proprietor of M/S.
Saha Rice Mill who had entered into an agreement for supply of
paddy to the State Food Corporation. It appears that a power of



attorney was executed. One Alok Kumar Sinha was closely related with Sanjay Kumar Saha. It appears that certain bags of paddy were lifted from the godown of the State Food Corporation on the basis of power of attorney. It is said that the said Alok Kumar had, in fact, opened an account with the Bihar Gramin Bank, Munger and while opening the Bank account, the petitioner, as a Peon of the Bank had identified the said Alok Kumar who had opened the Bank account, since the said Alok Kumar had already a Credit Bank Account in the said Bank.

Learned counsel for the petitioner submits that the entire case of cheating as made out regarding lifting of paddy seeds from the rice mill and the State Food Corporation has no connection with this petitioner and the only charge against him is of having introduced a person against whom certain charges had come in connection with the said case. It is further submitted that the Branch Manager of the Bihar Gramin Bank, Munger, who was also made an accused and under whose instruction the petitioner had become introducer, has since been extended the privilege of anticipatory bail vide impugned order in the present bail petition but the case of the petitioner, who had virtually no role to play, save and except introducing the said Alok Kumar has been denied the privilege of anticipatory bail.

Considering the nature of allegation and also the role of the petitioner as indicated in the impugned order itself, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of two weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 63 of 2013 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Anjana Mishra, J)

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