

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33215 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -ARARIA District- ARRARIA

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Brajesh Kumar Yadav S/o Late Ramesh Chand Yadav Resident of village -
Krishanpuri Manager East, P.S. K. Hat, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supply Corporation, Patna, through its
Managing Director

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Shankar Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-08-2015 Heard learned counsel for the petitioner, BSFC and
learned counsel for the State.

The petitioner being the Manager of the Bank, who apprehends his arrest in connection with Araria P.S. Case No. 33 of 2015 registered for the offences punishable under Sections 406, 420, 409, 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been roped in the present case only because of the fact that he was responsible for issuing bank guarantee in favour of the rice mill owner and the allegation made in the FIR is misconceived since as a Bank Manager, he has no option but to issue guarantee as and when the same is asked for subject to the condition that there is enough money in the account of concerned person. It is further submitted that during the

performance of the duty, he has issued a bank guarantee and on demand having been made by the BSFC, the same was allowed to encash in favour of the BSFC. There is no specific role alleged in the FIR against the petitioner.

Considering the aforesaid submissions, let the petitioner, in the event of his arrest or surrender before the Court below within a period of three 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 33 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

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