

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51680 of 2015

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Mithilesh Prasad, son of Late Kamla Prasad, resident of Village- Islampur,
P.S.- Islampur, District- Nalanda at present posted as Assistant Account
Officer, B.S.F.C., Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-11-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Madhubani Town P.S. Case No. 199 of 2015 registered
under Sections 406, 409 and 120-B read with 34 of the Indian
Penal Code.

It is contended that the entire allegation is out and
out a false allegation and the complainant was earlier engaged as
transporting agent and he has misappropriated the truck loaded
with FCI goods and accordingly his contract was terminated and
a first information report was lodged against him and others and
the District Manager, BSFC, Madhubani vide letter dated 905
dated 22.05.2012 to that effect to the Managing Director, BSFC,

Patna.

So far as the petitioner is concerned, he has not submitted any freight charge for carrying paddy or CMR and accordingly, there is no question of making payment for the same. He has further contended that just in order to save his own skin, the complainant has filed the present complaint which was referred to the police for investigation under Section 156(3) of the Code of Criminal Procedure.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioner is directed to be released 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 learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 199 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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