

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53158 of 2015

Arising Out of PS.Case No. -125 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Vishwanath Paswan, S/o Late Mangal Paswan, Resident of Village-
Ballia, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, BSFC, East Champaran at Motihari.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 24-11-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 21.06.2015 in a case
registered for the offences punishable under Sections 409/420/421/
465/466/467/468 of the Indian Penal Code.

Petitioner was Assistant Godown Manager of Patahi
Godown of State Food Corporation, Motihari and it is alleged that
when his godown was checked and verified, in huge quantity of
shortage of wheat and rice was found.

The contention on behalf of the petitioner is that prior to the
institution of the present case, Patahi P.S. Case No. 101 of 2015
was lodged against the petitioner for his involvement for the same
occurrence. In the aforesaid case, the informant claimed that when

the concerned godown was checked and verified, the excess rice was found and taking note of the aforesaid fact, a co-ordinate Bench of this Court granted bail to this petitioner in above stated Patahi P.S. Case No. 101 of 2015. It is contended that institution of the present case is nothing but only an abuse of process of law.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, East Champaran, Motihari in connection with Patahi P.S. Case No. 125 of 2015.

(Hemant Kumar Srivastava, J)

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