

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16557 of 2013

Arising Out of PS.Case No. -145 Year- 2012 Thana -MANJHI District- SARAN

Jawahar Lal S/O Sri Jagdish Lal Resident Of Village- Khudun, Post Office- Khudun, Police Station- Kochas, District- Rohtas (Bihar), At Present Mohalla- Dahiyawan, Brahman Toli, P.S.- Chapra Town, District- Saran At Chapra

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Narsingh Tanti (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

09/ 01-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420 and 409 of the Indian Penal Code.

It is alleged that the petitioner being the Incharge Assistant Godown Manager of Manjhi Branch of Bihar State Food Corporation has misappropriated 1838.92 quintals of wheat and 2756.10 quintals of rice by showing forged delivery to 52 dealers and make wrong entry in the delivery register and thereby misappropriated Rs.88,81,910.76/-.



It is submitted by learned counsel for the petitioner that none of the dealers have suggested that they have not received the grains. Fifty two dealers against whom the forged delivery was shown in the delivery register have also not been made accused in the present case, moreover, during investigation none of the 52 dealers against whom the forged delivery was shown in the delivery register have been examined. It is further submitted that the petitioner has already been retired from service on 31.08.2012.

This contention of learned counsel for the petitioner has not been controverted by learned APP after going through the case diary that none of the dealers against whom the forged delivery was shown in the delivery register have been examined. It is further submitted that the investigation has already concluded.

Considering the casual manner in which the FIR has been registered and the investigation has been carried out, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned

Chief Judicial Magistrate, Saran at Chapra in connection with
Manjhi P.S. Case No. 145 of 2012, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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