

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42410 of 2014

Arising Out of PS.Case No. -3 Year- 2014 Thana -VIDYAPATINAGAR District-
VAISHALI(HAJIPUR)

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Pawan Kumar, Son of Late Ramswaroop Choudhary, resident of Village-Jamin Digree, P.S.-Mufassil, District-Munger, at present Block Agriculture Officer, Vidyapati Nagar-cum-Supervisory Officer, State Food Corporation, Vidyapati Nagar, District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-04-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner, who seeks anticipatory bail in a case registered for the offences punishable under Sections 406, 420, 467, 468 and 120(B) of the Indian Penal Code, was the Block Agriculture Officer of Vidyapati Nagar and was Supervising Officer of State Food Corporation, Vidyapati Nagar, in that capacity the First Information Report has been lodged on the basis of allegation made in the complaint petition filed by the complainant alleging that he had supplied second lot of wheat to the State Food Corporation worth Rs. 4,79,947.50/- but the accused persons, namely, Santosh Kumar and the petitioner have not made the payment against such supply and have, thus,

misappropriated the entire wheat so supplied by the informant to the State Food Corporation.

Learned counsel for the petitioner submits that the allegation is totally false. He submits that even as per the allegations, as contained in the complaint petitioner, the petitioner did not receive any food grain from the informant and such food grain, if any, was received by the accused, Santosh Kumar not this petitioner.

Keeping in view the fact that the petitioner is a government servant and is not likely to free from the course of trial as also keeping in mind the nature of allegation, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of **Additional Chief Judicial Magistrate, Dalsingsarai, District-Samastipur**, in connection with **Vidyapati Nagar (Ghatho) P.S. Case No. 03 of 2014**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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