

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13202 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -KORANSARAI District- BUXAR

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Md. Bhola @ Bhola Khan Son of Md. Ikbal Khan, resident of village-
Basaha, P.S. Babu Barahi, District- Madhubani

.... Petitioner

Versus

1. The State of Bihar
2. Prabhu Das, District Manager, Bihar State Food & Civil Supplies
Corporation, Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Satyavrat Verma(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 10-05-2016 Heard learned counsel for the petitioner and the learned

Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Koran Sarai P.S.Case No. 11/2016, disclosing offences under
sections 406, 409, 420 of the Indian Penal Code.

The petitioner, at the relevant point of time, was deputed
as In-charge of the purchase centre at Khalwa Inaar, Koran Sarai,
Buxar. It is alleged that in that capacity he had purchased
18203.40 quintals of paddy and supplied to the millers, 17853.40
quintals for the purpose of CMR. Rest 350.00 quintals remained in
his custody. It is alleged that because he failed to take due care,
the quality of the paddy deteriorated and in an auction sale, the
Corporation received less amount than it could have fetched, had it

been kept properly.

Learned counsel for the petitioner appears to be right in his submission that prima facie no offence under section 406 or 409 of the Indian Penal Code is made out on the basis of allegations made in the F.I.R.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released 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, Buxar in Koran Sarai P.S.Case No. 11/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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