

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21388 of 2016**

Arising Out of PS.Case No. -6 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

NARVADESHWAR SINGH, SON OF LATE LAXMI NARAYAN SINGH, RESIDENT OF VILLAGE- NARENDRAPUR, P.S.- ANDAR, DISTRICT- SIWAN (BIHAR), THE THEN CIRCLE OFFICER, DINARA AT PRESENT CONSOLIDATION OFFICER, SEMARI, BUXAR.

.... .... Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. THE DISTRICT MANAGER, BIHAR STATE FOOD CORPORATION, ROHTAS AT SASARAM (BIHAR).

.... .... Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Rakesh Kumar, Advocate  
For the State : Mr. A.A Khan (APP)  
For O.P. No.2 : Ms. Aishwarya Riti, Advocate

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

7      06-09-2016                      It is submitted by the learned counsel for the petitioner that though the order dated 24.08.2016 was to list the present case on 5<sup>th</sup> of September, 2016, due to certain inadvertence, the ordersheet records it to be listed on 15<sup>th</sup> of September, 2016. However, since the aforesaid order was for 5<sup>th</sup> of September, 2016, the case had been listed on the said date as per computer verification.

Heard learned counsel for the petitioner and the learned counsel appearing for the State Food Corporation as well as the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in

connection with Dinara P.S. Case No.06 of 2016 for allegedly having committed the offence under Sections 406, 407, 408, 409, 419, 420, 467, 468 and 120B/34 of the Indian Penal Code.

It is submitted that for the same occurrence, two different F.I.Rs. were lodged; one bearing Natwar P.S. Case No.03 of 2016 as well as the present case, bearing Dinara P.S. Case No.06 of 2016, and as such, there cannot be two parallel prosecution.

Learned counsel appearing on behalf of the State Food Corporation after perusal of the same submits that the two cases arises out of the same occurrence. She further submits that in the previous case i.e., Natwar P.S. Case No.03 of 2016, the petitioner Narvadeshwar Singh has been extended the privilege of anticipatory bail in Cr.Misc. No.22049 of 2016 and that the same will hold good in the present case also.

In view of the present facts and circumstances that there cannot be two parallel prosecution for the same occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of

₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri Rajiv Kumar, learned Judicial Magistrate 1<sup>st</sup> Class, Bikramganj, Rohtas, in connection with Dinara P.S. Case No.06 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The terms and conditions of the order passed in another case i.e., Natwar P.S. Case No.03 of 2016 shall hold good in the present case also.

**(Anjana Mishra, J)**

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