

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28110 of 2016

Arising Out of PS.Case No. -74 Year- 2013 Thana -RASULPUR District- SARAN

Manoj Kumar Singh. Son of Sri Ramesh Singh, resident of village - Siuri,
P.S. Rusulpur, District - Saran at Chapra

.... Petitioner

Versus

1. The State of Bihar
2. The Bihar State Food Corporation through its District Manager Saran at
Chapra

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. A.P.P.

Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 25-07-2016

Heard Sri Siddharth Harsh, learned counsel for
the petitioner, learned Addl. Public Prosecutor and Sri
Shailendra Kumar Singh, learned counsel, who has voluntarily
appeared on behalf of Opp.Party no.2/Bihar State Food
Corporation.

The petitioner, who is a rice-miller, apprehends
his arrest in connection with Rusulpur P.S. Case no.74/2013
registered for the offence under Section 467, 468, 420, 406 of
the Indian Penal Code and Section -7 of the Essential
Commodities Act.

It was submitted by learned counsel for the
petitioner that in a civil matter, colour of criminal offence has



been given. He further submits that of course, in this case, it was alleged that about Rs.44,936,24/- has been misappropriated, however after this case was registered the petitioner has already deposited Rs.8 Lacs. He further submits that in number of other cases, in similar situation, accused persons have been extended the privilege of anticipatory bail after depositing 20 % of the misappropriate amount. On the aforesaid ground, a prayer has been made for extending the privilege of anticipatory bail.

Learned Addl. Public Prosecutor and learned counsel for the Opp.Party no.2 have opposed the prayer for anticipatory bail.

Besides hearing learned counsel for the parties, I have also perused the materials available on record, particularly the F.I.R. In the F.I.R. there is specific accusation against the petitioner, in which Bihar State Food Corporation has suffered loss of more than Rs.44 lacs. So far as the argument that in similar cases the accused persons have been extended the privilege of anticipatory bail is concerned, it may be recorded that this Court has rejected the anticipatory bail in number of cases. Moreover, learned counsel for the petitioner was not in a position to say that in the present case, any of the accused has

been granted anticipatory bail.

The petition stands dismissed.

NKS/-

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(Rakesh Kumar, J)

