

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34057 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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Dasrath Prasad Singh S/o Late Jai Krishna Singh, Resident of Mohalla-
Jagdeo Path, Lohiya Path, P.S. Rupaspur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjaya Nath Tiwari, Advocate
For the Opposite Party : Mr. Gulnar Begum (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-10-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Naugachhia P.S. Case No. 63 of 2016 registered for the
offences punishable under Sections 403, 409 and 420 of the Indian
Penal Code and under Section 7 of the E.C. Act.

Learned counsel for the petitioner submits that the
petitioner was an Assistant Godown Manager posted at Bhagalpur
and retired from the said post on 29.02.2016. It is further
submitted that while making over charge, no discrepancy was
found but certain physical verifications were made of his godown
from 02.02.2016 to 05.03.2016 and certain discrepancies were
alleged to have been found. Consequently, a FIR was registered on
04.05.2016. It is further submitted that the present FIR has been

lodged after a lapse of about two months though the petitioner was very much in-charge at the said godown till 09.05.2016 where he gave over charge to one Upendra Paswan in the proper manner. It is submitted that since the petitioner is an employee of the State Food Corporation and is likely to get about Rs.20 lakhs as retiral benefits, the petitioner is sought to be harassed and a false allegation has been levelled against him and in view of the fact that the petitioner is already superannuated, there is no scope of his tampering with the evidence in any manner.

Considering the nature of allegations made and the delay that has been occasioned in lodging of the FIR, 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 enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Naugachhia at Bhagalpur in connection with Naugachhia P.S. Case No. 63 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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