

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28861 of 2016

Arising Out of PS.Case No. -359 Year- 2014 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Ashok Kumar Singh S/o Prabhat Kumar Singh R/o Village- Paharpur
Manorath, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar -3

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 31-08-2016 Heard learned counsel for the petitioners

and learned counsel appearing on behalf of the

State.

The petitioner apprehends his arrest in
connection with Sahebganj P.S. Case No. 359 of
2014 for the offences registered under Sections 406,
409 & 420 of the Indian Penal Code.

Learned counsel for the petitioner submits
that the present case has been lodged against the
petitioner as a sequel to the earlier case, filed
against the informant bearing Sahebganj P.S. Case
No. 58 of 2015. It is further submitted that when the
petitioner got knowledge of the prosecution for



having defalcated a sum of Rs. 1,52,42,306.78/-, he lodged a case against the respective Chairman of the PACS. It was only because of the earlier case i.e. the first informant (accused in the present case) has lodged the present case against several persons including the petitioner. It is further submitted that as per the first information report, the allegation against the petitioner is that at Paharpur Monarath, a total 1300 quintals of paddy was found to be short of which the present petitioner was the Chairman of PACS. It is further submitted that in two lots, the aforementioned deposit was made by the petitioner which is evident from Annexure-5 series and as such, there is no defalcation on the part of the petitioner.

Having heard learned counsel for the State and on perusal of the case dairy, there appears to be certain discrepancies in the first information report and moreover, the petitioner has already deposited the amount of paddy which is alleged to have been supplied in short. As such, 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Muzuffarpur (west) in connection with Sahebganj P.S. Case No. 359 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Jagdish/-

(Anjana Mishra, J)

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