

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34535 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

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Pravin Kumar Srivastava Son of Ram Chandra Prasad Verma R/o Dahiyawa
P.S Chapra Town, District Chapra, Incharge of Vijayeeupur Dhan Purchase
Centre cum Auditor District Co-operative Officer, Gopalganj, District
Gopalganj .

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 08-09-2016 Heard Sri Rakesh Kumar Tiwary, learned counsel for

the petitioner, Sri Lalan Kumar, learned A.P.P. as well as Sri
Dhananjay Nath Tiwary, learned counsel who has voluntarily
appeared on behalf of the informant.

The sole petitioner who is an official of the B.S.F.C.
has approached this court for grant of bail apprehending his arrest
in Vijayeeupur P.S. Case No. 79 of 2016 registered for the offence
under section 419/420/ 406 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner
that informant in the capacity of representative of a rice miller has
lodged the present F.I.R. maliciously as per instance of the rice
miller. He submits that in the F.I.R. itself it has been disclosed
that petitioner has received paddy but it has been alleged that on

false pretext signature of the informant was obtained by the petitioner and thereafter it has allegedly never been supplied. He submits that it appears that to avoid criminal prosecution the rice miller has falsely fabricated the present case.

Learned counsel for the informant opposing the prayer submits that the petitioner himself has admitted before the investigating officer that he had not handed over paddy to the tune of 1100 quintal to the informant.

In view of the nature of accusation and the fact that F.I.R. has been lodged as per instance of the rice miller against the officer of the B.S.F.C. , the court is of the opinion that it is a fit case for extending the privilege of anticipatory bail. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the petitioner Pravin Kumar Srivastava be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj / concerned court in connection with Vijayee pur P.S. Case No. 79 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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