

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55929 of 2015**

Arising Out of PS.Case No. -86 Year- 2015 Thana -BIHPUR District- BHAGALPUR

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1. Sanjeev Kumar son of Sunil Thakur resident of Village - Lattipur, Police Station - Bihpur, District - Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mrs. Pravina Kumari

For the Opposite Party/s : Mr. Sunil Kr. Pandey (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

3      21-01-2016                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in a case under sections 420, 406, 407/34 of the IPC and under section 7 of E. C. Act.

The petitioner is a contractor. He lifted 317 bags of rice of MDM scheme, but he did not distribute 83 bags which were found from the shop of one Khagesh Sah.

Learned counsel for the petitioner submits that the said Khagesh Sah has already been granted anticipatory bail. She further submits that the informant subsequently stated that the petitioner has deposited the required bags under the scheme.

Learned counsel for the State, however, opposes the prayer for anticipatory bail and submits that the Principal and a

number of school teachers have stated that rice has not been distributed.

Regard being had to the facts and circumstances of the case, this application is disposed of with a direction to petitioner to surrender before the court below, i.e., learned ACJM, Naugachia, Bhagalpur in Bihpur P.S. case No. 86 of 2015 within six weeks and pray for regular bail which shall be disposed, preferably, on the same day taking into account the fact that Khagesh Sah, from whose house food-grains have been recovered, has already been allowed anticipatory bail.

With this direction, this application is disposed of.

**(Samarendra Pratap Singh, J)**

BKS/-

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