

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51530 of 2016

Arising Out of PS.Case No. -151 Year- 2013 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Shashi Kant Kumar (Kisan Shankar), son of Ambika Ram, R/o Village Gajipur, P.S. Chainpur, District Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party : Mr. Rana Randhir Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Chainpur P.S. Case No. 151 of 2013 (G.R. Case No. 1740 pf 2013), registered for the offences punishable under Sections 420, 406/34 of the Indian Penal Code.

Allegedly, Shambhu Prasad Singh in collusion and conspiracy with Abhay Kumar Singh and Shashi Kant Kumar (petitioner) misappropriated 5569.50 quintals of wheat.

Submission is of false implication and that the petitioner was *Kishan Salahkar* and his only duty was to assist Shambhu Prasad Singh in purchasing the wheat. The petitioner has got no role in storing the same and in the store the said wheat was



found misappropriated. Shambhu Prasad Singh has been allowed bail with a condition that to deposit a sum of Rs. 10 laks in Court or with the department vide Cr. Misc. No. 21594 of 2014 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioner is also involved in the said bungling.

In the facts and circumstances as stated above, considering the limited role of the petitioner, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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 Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Chainpur P.S. Case No. 151 of 2013 (G.R. Case No. 1740 of 2013), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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