

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46887 of 2016

Arising Out of PS.Case No. -181 Year- 2015 Thana -BRAHMPUR District- BUXAR

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Sanjay Kumar Shahi, son of Late Ramji Shahi, Resident of village Patedha,
P.S.- Maharajganj, District- Siwan.

.... Petitioner/s

Versus

1.The State of Bihar

2. The Bihar State Food and Civil Supplies Corporation Limited, Patna,
Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 26-10-2016

Heard Mr. Vindhyachal Singh for the petitioner and

M. Dayal, APP for the State.

This is repeat application seeking anticipatory bail in
Brahampur P.S. Case No. 181 of 2015 registered under sections
406, 409 and 420 of the Indian Penal Code wherein the allegation
is that the petitioner with other employees embezzled the
government fund in the sum of Rs. 72 lakhs and odd. On a
consideration of the submissions of the parties, his prayer for
anticipatory bail was rejected by order dated 05.11.2015 passed in
Cr. Misc. No. 49092 of 2015. Petitioner was required to surrender
and seek regular bail. Instead of doing so, after expiry of several
months, the present application for anticipatory bail has been filed.

It is submitted that a proceeding under Bihar and

Orissa Public Demand Recovery Act has been initiated. The F.I.R. does not take into account the percentage of loss caused due to delayed deposit/disposal of the wheat procured. There was no proper place to store those things.

Be that as it may, considering the facts and circumstances of the case and the fact that the prayer for bail has already been rejected, I am not persuaded to enlarge the petitioner on anticipatory bail. Petitioner shall surrender and pray for regular bail.

The application is dismissed.

(Kishore Kumar Mandal, J)

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