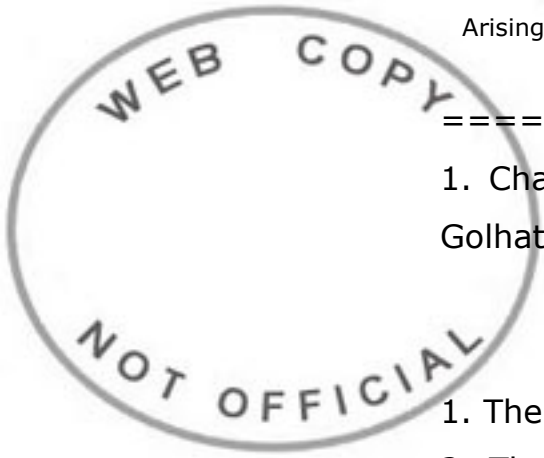




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11993 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -DARIHAT District- SASARAM
(ROHTAS)

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1. Chandra Shekhar Jha, S/o Prabhakar Jha, R/o Village -
Golhatee, P.S. - Bausi, District - Banka.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. The Bihar State Food & Civil Supplies Corporation Ltd.,
through its Managing Director, Khad Bhawan Daroga Rai
Path, Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s :Mr. Rajeev Ranjan Prasad, Adv.
Mr. Rajendra Kr., Adv.
Mr. Nilanjan Chatterjee, Adv.

For the Opposite Party/s :Mr. Uma Nath Mishra (App)

For the SFC :Mr. Shailendra Kr. Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

5 12-07-2016 Heard the parties.

This application, for grant of anticipatory bail,
arises out of Darihat P.S. Case No.08 of 2015, disclosing
offences under Sections 420 and 409 of the Indian Penal
Code.

The petitioner is not named in the First Information Report. During the period from 23.03.2014 to 16.07.2014, the petitioner was posted as District Manager, Bihar State Food Corporation, Rohtas.

Learned counsel for the petitioner has submitted that under a misconception that signature of the purchase In-charge was required to be taken in the agreement between the go-down owner and the District Manager, which he failed to do, the petitioner has been implicated in the case by the police. He has drawn my attention to Annexure-3 of the application, which is an office order, issued by the Managing Director of the Bihar State Food & Civil Supplies Corporation Ltd., indicating that there was no requirement of taking signature of purchase In-charge on the agreement between the go-down owner and the District Manager of the Bihar State Food Corporation.

I find force in the submission advanced on behalf of the petitioner that there is, *prima facie*, no material available on record to connect this petitioner in commission of the alleged offence.

This application is, accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be

released 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 **learned Chief Judicial Magistrate, Sasaram at Rohtas**, in connection with **Darihat P.S. Case No.08 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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