

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39752 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -DUMRA District- SITAMARHI

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Ramakant Prasad Sah @ Ramakant Sah, Son of Raghunath Sah, Resident of
Village- Dihlahi, Police Station- Bishanpur, District- Darbhanga.

.... Petitioner

Versus

1. The State of Bihar
2. The District Manager, B.S.F.C., Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Verma, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 06-10-2016

Heard both sides.

The Petitioner apprehends his arrest in Dumra P.S.

Case No.50 of 2016 under Sections 406, 409, 420 and 427 of the
Indian Penal Code.

The informant District Manager, B.S.F.C. named
eight persons, who were the Incharge, Purchase Centre including
the petitioner and alleged that they misappropriated amount by
misappropriating paddy. The petitioner is not named.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. Petitioner was working as
Assitant under Shivraj Bahadur Sinha, Block Co-operative
Officer, Sonbarsa, who was made Incharge of Purchase Centre,

Sonbarsa. No allegation is made out against the petitioner. It was Shivraj Bahadur Sinha, who was Incharge of Purchase Centre and he had to supply the entire purchased paddy, i.e. 50245 quintals to the Miller and he only supplied 34455.43 quintals of paddy. He is alleged to misappropriate the remaining, i.e., 15789.77 quintals the price of which comes to Rs.2,54,91,004.70.

However, the learned counsel for the B.S.F.C. opposed the prayer for anticipatory bail but could not be able to point out any particular facts collected against the petitioner during the course of investigation.

Considering the facts that there is no allegation against the petitioner, petitioner above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on anticipatory bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Dumra P.S. Case No.50 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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