

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38101 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -CHAURI District- BHOJPUR

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1. Rakesh Kumar Ojha Son of Late Badrinarayan Ojha, R/o Village - Kolodihari, P.S.- Chauri, Dist. - Bhojpur.
2. Bipin Kumar Upadhaya, Son of Sri Baban Upadhaya, R/o Village: Khanet, P.O. Pawar, P.S. Pawana, Dist.- Bhojpur.

.... Petitioners

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supply Corporation Ltd through the District Manager, Bhojpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-09-2016 Heard Sri Gopal Govind Mishra, learned counsel for petitioners and Sri Rajendra Singh Shastri Ji, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Chauri P.S. Case No. 48 of 2016 registered for offence under Sections 406, 409, 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act, 1955, have prayed for grant of bail in the event of arrest or surrender.

Learned counsel for petitioners submits that petitioners have falsely been implicated. He submits that there is no material to show that petitioners had not dispatched the paddy,

as alleged in the F.I.R., whereas, learned Addl. Public Prosecutor, by way of referring to F.I.R., submits that it was a case of defalcation of huge amount to the extent of more than thirty eight lacs.

Keeping in view the nature of accusation, I do not find any ground to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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