

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30984 of 2016

Arising Out of PS.Case No. -58 Year- 2015 Thana -NAWANGAR District- BUXAR

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1. Shiv Kumar Rai, son of Raja Rai, resident of Village- Dhangain, Police Station Bikramganj, District Rohtas (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Uday Pratap Singh, son of Late Harivansh Singh, resident of village-
Lakhanpur, P.S.- Punpun, District- Patna at present District Manager,
B.S.F.C., Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 12-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Originally, the present case was lodged against the proprietor of Maa Santoshi Mini Rice Mill for the offences punishable under Sections-406, 409, 420 of the Indian Penal Code on the accusation that the proprietor of aforesaid rice mill, lifted paddy from the corporation with assurance that he would return the CMR rice but he digested the amount of rice and did not return the CMR rice. However, it would appear that a bench of this court in a writ petition directed the police to reinvestigate the cases which had been filed against rice mill owners for the above-said offences and after that, the present case was also reinvestigated

and the involvement of the petitioner was found by Supervising Authority.

Learned counsel for the petitioner submits that the petitioner was in-charge of purchase centre at the relevant time and as a matter of fact, neither he had been given any paddy nor digested any amount but he has been made scape goat in this case by the officials as well as police. It is further submitted that co-accused Shammi Kapoor @ Shammi Kapoor Das having more or less similar allegation has already been granted privilege of bail by a coordinate bench of this court.

Although learned counsel, appearing for corporation opposed the prayer but considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nawanagar P.S. Case No. 58 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Buxar.

(Hemant Kumar Srivastava, J)

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