

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 22891 of 2016**

Arising out of P.S. Case No. - 42 Year - 2016 Thana - MUFFASIL District - AURANGABAD

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Arvind Kumar, Son of Sri Dilkeshwar Sharma, Resident of Village -  
Makarpur, Police Station - Makhdumpur in the district of Jehanabad  
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Sushant Kumar, Advocate

For the Opposite Party : Mr. S. M. Rahman, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

4 26-07-2016

Heard both sides.

The petitioner apprehends his arrest in Aurangabad Muffasil P.S. Case No. 42 of 2016 registered for the offences punishable under Sections 420 and 406/34 of the Indian Penal Code.

The Circle Officer, Aurangabad inspected the factory of M/S. Bhagwati Coal Industries Pvt. Ltd. Industrial Area, Aurangabad (Bihar) and found shortage of 43.77 metric tone coal. The petitioner is the Area Officer of BIADA, Aurangabad. Petitioner is not named in the First Information Report.

The learned counsel for the petitioner submits that the petitioner used to inspect the factory each and every month and submit reports but there is no inspection report of the petitioner in the month of February. It is nowhere alleged how the petitioner is

involved in the case. On mere suspicion that the petitioner might have given false report.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 42 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Jha, J.)**

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