

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22247 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -
RANIGANJ District- ARRARIA

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1. Navin Kumar @ Navin Kumar Singh, Son of Late Keshav Prasad Mandal, Resident of Village - Baikunthpur, P.S. - Sultanganj, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Anish Chandra (App)

For the BSFC : Mr. Prabhat Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 15-07-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Raniganj P.S. Case No.47 of 2016, disclosing offences under Sections 406, 409, 420, 467, 468 and 120(B)/34 of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as Godown In-charge of CMR Godown, Araria.

It appears from the First Information Report that in course of physical verification, conducted by the Supply Officer, food grains in TPDS Godown, Raniganj, was found to be less than it was required to be. As regards CMR Godown, Araria, the CMR was found to be more than its sanctioned capacity.

Learned counsel, appearing on behalf of the petitioner, appears to be right in his submission that no offence, under Section 406 of the Indian Penal Code, can be said to be made out against the petitioner, on the basis of the allegation made in the First Information Report.

Learned counsel, appearing on behalf of the Bihar State Food & Civil Supplies Corporation Ltd., has attempted to persuade this Court that the petitioner was instrumental in misappropriation of food grains.

However, I do not find any material to support such contention. 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, Araria**, in connection with **Raniganj P.S. Case No.47 of 2016**, 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, above named, 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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