

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22363 of 2017

Arising out of P.S. Case No.-25 Year-2017 Thana-
BAKHTIARPUR District- Saharsa

=====

Md. Rakki Ahmad @ Md. Rafi Ahmad S/o- Mojibuddin, Resident
of Village- Bhada, P.S.- Sour Bazar, District- Saharsa, Saharsa
Rice Mill, Chikni Chowk, Sour Bazar, P.S. Sour Bazar, District-
Saharsa. Petitioner/s

Versus

1. The State of Bihar.
2. Kamal Kishore Singh, S/o Sri Ganesh Prasad Singh, R/o
Village-Sardiha, P.S.-Bakhtiyarpur, District-Saharsa.
3. Bihar State Food Corporation through the District Manager,
Saharsa. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s: Mr. Pramod Mishra, APP.

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 19-09-2017

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 406, 420,
120B and 506/34 of the Indian Penal Code.

It is contended on behalf of the petitioner that the
petitioner is innocent and has not committed any offence. In
fact, the petitioner was not the owner of Saharsa Rice Mill. In
fact he was given power of attorney for one month by his son
who happens to be owner of Saharsa Rice Mill and, as such, he
has been falsely implicated in this matter. It is further contended



that entire CMR has already been deposited by the son of the petitioner in the godown of the State Food Corporation Saharsa, which is evident from Annexure-3. Lastly, it is urged on behalf of the petitioner that the son of the petitioner namely Md. Nakib Alam @ Nakib Alam who happens to be the owner of the Saharsa Rice Mill has already been granted bail by a Co-ordinate Bench of this Court vide order dated 21.08.2017 passed in Cr. Misc. No. 36663 of 2017.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Bakhtiarpur P.S. Case No. 25/2017, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa or his successor subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Vikash/-

U		T	
---	--	---	--

