

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53077 of 2017

Arising Out of PS.Case No. -54 Year- 2016 Thana -BHAGWANGANJ District- PATNA

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1. Sunil Kumar Pandit, son of Shiv Sharan Pandit, resident of village-
Bhagwanganj, P.S.- Bhagwanganj, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Managing Director, SF Corporation, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

For BSFC : Mr. Harish Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-12-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the BSFC.

Petitioner apprehends his arrest in **Bhagwanganj**
P.S. Case No.54 of 2016 instituted for the offence under
Section(s) 406, 420 Indian Penal Code pending in the Court of
the Judicial Magistrate, Masaurhi, Patna.

It is alleged that petitioner being Chairman of
Bhagwanganj PACS purchased 3391 quintal of paddy from the
farmers and deposited only part CMR in BSFC and 1479.29
quintal CMR is still due with the petitioner. The government has
fixed the date for deposit of CMR as 31.07.2016, but till date
petitioner has not deposited the rest 1479.29 quintal CMR.

Counsel for the petitioner has submitted that gunny



bag was to be supplied by the BSFC and because of non-supply of gunny bag CMR could not be deposited.

This Court feels that this is only lame excuse by the petitioner.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

In the event, the petitioner undertakes in the Court below that he will deposit 1479.29 quintal CMR within a certain fixed period, the Court below will pass appropriate order in accordance with law and, if thinks proper, the Court below may grant provisional bail to the petitioner for depositing the balance CMR.

JA/-

(Sanjay Priya, J)

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