

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42161 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -BIKRAM District- PATNA

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Sushil Kumar, Son of late Rameshwar Paswan, Proprietor S.K. Rice Mill,
Resident of Village - Kanpa, P.S- Ranitalab, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Pradeep Kumar Gupta, District Manager, Bihar State Food Corporation,
Patna, East Boring Canal Road, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhuri Lata, Advocate.

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

9 21-06-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bikram P.S. Case No. 182 of 2015, registered under Sections 467,
468, 471, 419 and 420 of the Indian Penal Code.

The allegation of District Manager, B.S.F.C., is that
only 1,13,956 quintals of paddy was purchased but the bill for
purchasing 1,21,519.30 quintals of paddy was submitted for
payment to the farmers.

Learned counsel for the petitioner submits that
petitioner is neither the officials of B.S.F.C. nor he is involved in
any manner to purchase the paddy rather he is simply the owner of



the Godown. It is further submitted that similarly situated co-accused, Ranjay Kumar, who is also the owner of Godown, has already been granted privilege of anticipatory bail by a Bench of this Court vide order dated 04.05.2017 passed in Criminal Misc. No. 12211 of 2017. Further submission is that vide order dated 04.10.2016, petitioner was allowed provisional bail by a Bench of this court with condition that if the petitioner is sought to be arrested by the police, he shall be released on provisional bail but the petitioner was not arrested by the police.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Danapur, Patna, in connection with Bikram P.S. Case No. 182 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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