

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51176 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -DAWATH District- -

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Shambhu Singh, son of Sri Jhagru Singh, Resident of Village- Dumraon Tola, P.S.- Dhangai, District- Bhojpur, the then Centre Purchase Incharge, Dawath, Block, District- Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supply Corporation Ltd., a Govt. of Bihar undertaking through its District Manager, State Food Corporation, Rohtas (Sasaram).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 09-02-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Dawath P.S.Case No. 61 of 2016 registered for the offences punishable under Sections 406, 409, 420 and 120B of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is allegation of shortage of paddy against the petitioner for which he is made liable for an amount of Rs.37,26,818.50. It has also been submitted that petitioner has wrote twice to the authorities for drawing their attention that paddy is kept in the open and the same may be destroyed during the period and further



that before lodging of FIR against the petitioner it was informed to the officials of the Corporation with regard to extinguishing of fire in the godown and, as such, petitioner may not be liable for the whole paddy which was damaged.

Heard learned counsel for BSFC.

Learned counsel for BSFC has opposed the prayer for bail.

However, learned counsel for the petitioner has submitted that he will produce all the relevant materials before the police for their examination.

In that view of the matter, let the petitioner, in the event of his arrest or surrender in the court below within a period of two weeks from the date of receipt/production of a copy of this order, be released on provisional bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas, in connection with Dawath P.S.Case No. 61 of 2016, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that both the bailors should be local persons having sufficient immoveable properties within the jurisdiction of the court concerned and he will co-operate in the investigation and



appear before the police, as and when required and on failure on his part to appear before the police on two consecutive dates without showing any valid ground, his bail bond shall be liable to be cancelled.

However, once charge-sheet has been submitted, the petitioner has to surrender and pray for regular bail, which shall be considered by the court below and disposed of on the basis of materials available at that time.

With the above observations, this application is disposed of.

(Vinod Kumar Sinha, J)

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