

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36025 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -PARSA District- SARAN

Kranti Singh, son of Late Shaligram Singh, at+PO+PS- Dharhara, District-
Munger. Petitioner

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, R- Block, Road No.2, Patna-1.
....Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Smt. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 409 and 427 of the Indian Penal Code.

According to FIR, the petitioner was Godown Manager of the referred godown appointed on the basis of contract.

Allegation is that the petitioner was asked to hand over the charge to the named person. However, the petitioner did not hand over the charge and due to negligence and mismanagement of the petitioner, the grains could not be properly stored and preserved.

Submission of the learned counsel for the



petitioner is that this may be a case of insubordination and negligence of duty as alleged in the FIR. However, it is not a case of criminal liability. The petitioner could have immediately been removed, when he refused to hand over the charge to the person, first appointed, and the authorities did not do so.

Considering the nature of allegation, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Parsa P.S.Case No.17 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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