

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34246 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -SALKHUA District- SAHARSA

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Nakib Alam @ Nakavi Ahmad @ Md. Nakib Alam, S/o - Rakki Ahmad @
Rakki Alam, Resident of Village - Saharsa Basti, P.S. + District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Salkhua (Banma Itahari) P.S. Case No. 115 of 2016, registered
under Sections 406, 409, 419, 420, 467, 468 and 120B of the
Indian Penal Code.

The allegation of complainant-informant is that
Arshad Firoj, the Manager of B.S.F.C, Saharsa, in collusion with
Rakki Alam, Nakib Alam (petitioner), Faruk Ahmad and Vijay
Kumar misappropriated the paddy as purchased by the Bihar State
Food Corporation of Rs.1,44,11,451/-.

Learned counsel for the petitioner submits that, in fact,
co-accused, Arshad Firoj, who is shown as accused no. 1 in the



complaint petition, which is the basis of the F.I.R., being the District Manager of Bihar State Food Corporation, Saharsa, lodged Salkhua P.S. Case No. 223 of 2014 on 10.11.2014 against informant of the present case, who is the In-charge of Purchase Centre posted at Godown Saharsa, due to that reason the complainant-informant has lodged the present case against petitioner and four others named in the complaint petition only to give undue pressure.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or 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 Additional Chief Judicial Magistrate-II, Saharsa, in connection with Salkhua (Banma Itahari) P.S. Case No. 115 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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