

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44470 of 2017

Arising Out of PS.Case No. -18 Year- 2014 Thana -C.B.I CASE District- PATNA

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1. Surendra Prasad, Son of Late Ramchandra Prasad, Resident of Mohalla-
Kathia- Mathia, P.S.- Kangli, District- West Champaran, Bettiah
.... Petitioner

Versus

1. The State of Bihar through C. B. I., Patna, District Patna
2. Food Corporation of India through Regional Manager, Patna
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rakesh Kumar Sinha, Adv.
For the CBI : Mr. Bipin Kumar Sinha, Adv.
For the FCI : Mr. Prabhakar Tekriwal, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 04-10-2017 Heard the parties.

The petitioner apprehends his arrest in Special Case No. 9 of 2014 arising out of RC No. 18(A) of 2014 registered under Sections 120B and 420 of the Indian Penal Code and 23(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

Earlier the prayer for anticipatory bail of the petitioner was rejected by order, dated 19.08.2016, passed in Cr. Misc. No. 12319 of 2015.

The learned counsel for the petitioner submits that the case was registered against the petitioner and other employees of the Food Corporation of India, but, the Central Bureau of Investigation submitted charge sheet only against the petitioner and the allegation against other accused persons was found false. Therefore, the petitioner deserves anticipatory bail.

On the other hand, Mr. Prabhakar Tekriwal, the learned counsel on behalf of the Food Corporation of India and Mr. Bipin Kumar Sinha, the learned counsel for the Central



Bureau of Investigation, submit that after rejection of the anticipatory bail of the petitioner, the petitioner moved before the Supreme Court and the Supreme Court allowed the petition to be withdrawn, after some arguments.

It appears that the petitioner is alleged to have interpolated different documents and registers, such as master ledger, stock ledger, stock account register, weighing bridge register, during the period between 01.04.2008 to 21.05.2012 and caused loss of Rs.1,12,88,153/- to the Food Corporation of India on fake charge of freight of trucks from railway station to godown and to other places.

On consideration of the allegation, the prayer for anticipatory bail of the petitioner was rejected on 19.08.2016, passed in Cr. Misc. No. 12319 of 2015. The petitioner also filed SLP (Cr.) No. 9538 of 2016 before the Supreme Court, which was withdrawn. Therefore, I do not find any new ground to reconsider the prayer for anticipatory bail of the petitioner.

Accordingly, the prayer for anticipatory bail is rejected, once again.

(Prabhat Kumar Jha, J)

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