

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43793 of 2017

Arising Out of PS.Case No. -2 Year- 2016 Thana -DHURAIYA District- BANKA

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1. Manoj Kumar Singh Son of Karu Prasad Singh, R/o Village- Birnauda,
P.S.- Shambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar,
2. District Manager, Bihar State Food Corporation, Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ray Shivajee Nath, Sr. Advocate
Mr. Raj Saurabh Nath, Advocate
For the B.S.F. Mr. Niraj Kuamr, Advocate
For the Opposite Party/s : Mr. Ataur Rahman (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 18-10-2017 Heard learned counsel for the petitioner, learned

counsel for the B.S.F.C. and learned counsel representing the

State.

The petitioner wants to renew the prayer of bail,
which was earlier rejected vide order dated 12.04.2017 passed in
Cr. Misc. 4646 of 2017, on the ground that the petitioner is in
custody since 17.11.2016, no prosecution witness has been
examined up till now and, as such, the petitioner deserves
sympathetic consideration, the petitioner is not at fault at any point
of time, he has been removed from his service and as such now is
not in a position to give bank guarantee or money.

The learned counsel for the B.S.F.C. on the other



hand, opposes the prayer of bail by submitting that the petitioner has misappropriated 17958.01 quintals of paddy, the value of which comes to Rs. 3,05,28,600/-.

In the facts and circumstances stated above, I am not inclined to enlarge the petitioner on bail, accordingly, his such prayer again stands rejected.

However, the learned trial Court is directed to expedite the trial and conclude the same preferably within six months taking same on priority basis, failing which, the petitioner if at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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