

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4637 of 2017

Arising Out of PS.Case No. -272 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

Ashok Kumar Safi, S/o Sonelal Safi, R/o Village- Hotel Patti, P.S.- Ashok
Paper Mill, District- Darbhanga. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Opposite Party/s : Mr. Sri Rajkishore Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 21-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Gopalganj Town P.S. Case No. 272 of 2016 registered for the
offences punishable under Sections 420 and 409/34 of the Indian
Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, when a raid was made in the godown of
foreign liquor Depot, Gopalganj, on 18.03.2016, 10118 cases and
531 bottles of foreign liquor beer were found shortage the value
of which comes to Rs. 1,46,83,287.90/-.

Submission is of false implication and that this audit
was made on 18.03.2016 whereas the petitioner has already been
removed from service on 27.02.2016 itself. The petitioner has
worked as an Accountant from 13.10.2013 till 27.02.2016 whereas
the audit was done on 18.03.2016. Similarly situated co-accused



Mithilesh Kumar, Godown Manager, has already been allowed pre-arrest bail vide Criminal Miscellaneous No. 40664 of 2016 by another coordinate Bench of this Court and further Bir Bahadur Singh allowed bail by the learned court below itself vide ABP No. 3122 of 2016 and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that Bir Bahadur Singh and Mithilesh Kumar @ Mithilesh Pandey, the Depot Manager, have already granted bail and, as such, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 272 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Vats/-

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