

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12334 of 2017**

Arising Out of PS.Case No. -205 Year- 2016 Thana -SONBERSA District- SITAMARHI

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Gajendra Prasad Singh, Son of Sri Durganand Singh, Resident of Village- Parsa, P.S. Rajnagar, District- Madhubani.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Bihar State Food Corporation.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Alok Kumar Singh, Sr. Advocate  
For the O.P. no.2 : Mr. Nirmal Kumar, Advocate  
For the State : Mr. Sri Awadhesh Kumar Singh

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

3      01-05-2017                      Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and also learned counsel for the State.

The petitioner apprehends his arrest in connection with Sonbarsa P.S. Case No. 205 of 2016, registered for the offences punishable under Sections 420, 409, 467, 468, 471/34 of the Indian Penal Code.

On behalf of the petitioner it is submitted that in the First Information Report the only allegation against the petitioner is that he has also countersigned on the Store Delivery Order which was prepared by Gaurav Kumar the I.T. Manager. The petitioner being Assistant was reappointed and he was working as Assistant Accounts Officer, he has simply countersigned. There is no allegation that the petitioner has misappropriated any amount.



Main allegation is against the I.T. Manger and Mahesh Jha, Assistant Godown Manager and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. and learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that it was the petitioner who had signed the Store Delivery Order and against the petitioner there are several cases. In view of the order of Hon'ble the Apex Court bank guaranty has to be provided in such cases.

In the facts and circumstances as stated above, considering the allegation against the petitioner that he has also signed on Store Delivery Order which was prepared by Gaurav Kumar the I.T. Manager and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa P.S. Case No. 205 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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