

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36662 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Nakib Alam @ Nakib Alam Son of Md. Rakki Ahmad @ Md. Rafi Ahmad @ Md. Rafi Alam, R/o Village- Bhada, P.S.- Sour Bazar, District- Saharsa, Saharsa Rice Mill, Chikni Chowk, Sour Bazar, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-08-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bakhtiarpur Police Station Case No. 25 of 2017, disclosing offences under Sections 406, 420, 120B, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any offence. In fact, the petitioner happens to be the owner of Saharsa Rice Mill has not defalcated the C.M.R. Rice amounting to Rs.13,84,440/- rather he has falsely been implicated in this case due to village politics. As a matter of fact, the District Manager State Food



Corporation, Saharsa vide its letter No. 236 dated 07.03.2017 has clearly stated that all the C.M.,R. Rice has already been deposited by the petitioner in the godown of the State Food Corporation Saharsa, which is evident from annexure-3. Therefore, no specific case is made out against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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, Saharsa, in connection with Bakhtiarpur Police Station Case No. 25 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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