

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13927 of 2018

Arising Out of PS.Case No. -27 Year- 2016 Thana -MALI District- AURANGABAD

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1. Wakil Prasad Singh, Son of Late Lakshmi Prasad Singh, Resident of
Village- Salempur, P.S.- Suryagarha, Dist- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food & Civil Supplies Corporation
Ltd., Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. P.K.Shahi, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 12-03-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 406,409 and 420 of
the Indian Penal Code.

The petitioner was Incharge as District
Manager of the Godown of Food Corporation of India,
Aurangabad. The petitioner had entered into an agreement
on behalf of the Food Corporation with one rice miller M/s
Maa Laxmi Rice Mill, Ganghar, Nabinagar, Aurangabad. The
miller did not supply the entire rice proportionate to the
paddy provided to the miller for milling purpose.

Submission of the learned counsel for the



petitioner is that in the State of Bihar, several millers at different places did not return back rice to the Food Corporation of India and FIRs were lodged but the FIR does not reveal that the petitioner acted with any malice against the interest of Food Corporation of India. Moreover, in a different FIR vide Rafiganj P.S.Case No.229 of 2012 of the same nature, the petitioner has already been allowed bail by a Coordinate Bench of this Court considering the fact that miller in that case was allowed anticipatory bail by a Coordinate Bench of this Court.

Considering the aforesaid facts specially the fact that there is no allegation against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mali Police Station Case No.27 of 2016, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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