

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53714 of 2017

Arising Out of PS.Case No. -318 Year- 2017 Thana -GARKHA District- SARAN

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1. Harendra Rai, S/o Sri Chandradeep Rai, Resident of Village-Podhiya,
P.S.-Garkha, District-Saran at Chhapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Garkha P.S. Case No. 318 of 2017 instituted for the offence under Sections-409, 420 of the Indian Penal Code.

It is alleged in the written report that during Kharif season 2016-17, total 4015 quintal of paddy was produced by Garkha Vyapar Mandal and the same was required to deposit 2690.05 quintals of CMR. The aforesaid Vyapar Mandal deposited 1209.25 quintals of CMR in the State Food Corporation and did not deposit the remaining amount of 1480 quintals of rice. It is alleged that the aforesaid rice has been sold in the open market and an amount of Rs. 35,18,380.80 has been defalcated. It is alleged that this petitioner was Manager of the aforesaid Vyapar Mandal and his father Chandradeep Rai was the chairman.

Counsel for the petitioner has submitted that there is no



document to show that this petitioner was Manager of the aforesaid Vyapar Mandal.

The case diary has been received.

The learned APP referring to paragraphs-12, 17, 18, 21 & 22 of the case diary has submitted that in those paragraphs, witnesses in their statement have supported the case and have stated that this petitioner being Manager of the Vyapar Mandal along with Chandradeep Rai had defalcated the rice.

In such circumstances, this court does not find it a fit case for grant of anticipatory bail. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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