

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30480 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- KATIHAR District- Katihar

Suresh Kumar Sah, S/o Late Chandrashekhar Prasad Sah, R/o Mohalla- Naya Tola Phulwari, P.S.- Katihar, District- Katihar.

... .. Petitioner

Versus

1. The State of Bihar.
2. The District Manager BSFC, Katihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate Mr. Dhananjaya Nath Tiwari, Advocate
For the State	:	Mr. M.K. Nirala, APP
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Katihar Towan P.S. Case No.55 of 2018, registered for the offence punishable under Section 7 of E.C. Act and under Sections 379, 406, 409 and 120(B)/34 of the Indian Penal Code.

Allegation has been made that the godown of B.S.F.C. was inspected and it was found that there was huge shortage of wheat and rice.

Learned counsel for the petitioner submits that the petitioner is a P.D.S. dealer having nothing to do with the



shortage of food-grains, it is the Officers they have to maintain the godown in proper manner, any pilferage and shortage cannot be put on the head of the petitioner.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Suresh Kumar Sah, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with Katihar Town P.S. Case No.55 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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