

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62084 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

=====

Basudeo Das, S/o Late Dhani Das, R/o Rohini, P.S.- Jasidih, District-
Deoghar, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food & Civil Supply Corporation Ltd., Khadya Bhawan,
Daroga Rai Path, R-Block, Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bhagwanpur**
P.S. Case No. 43 of 2017 instituted for the offence under Sections
409 and 420 of the Indian Penal Code.

It is alleged in the written report that petitioner has
handed over charge to newly appointed Assistant Manager, Raju
Yadav on 27.9.2016. Thereafter, the stock register was got audited
from the Auditor and shortage was found amounting to
Rs.1,65,07,398.54. The charge report is part of the First
Information Report which is enclosed at running page-18 which
shows that petitioner has already handed over charge on 27.9.2016
It appears that after six months of handing over charge, the instant



First Information Report has been lodged against this petitioner on 1.4.2017.

From perusal of charge report, it appears that there is no any objection at the time of handing over charge that there was any shortage in the godown.

Learned counsel for the petitioner has submitted that other co-accused persons have been granted anticipatory bail by this Court vide orders dated 10.01.2018, 18.01.2018 passed in Cr. Misc. 44294 of 2017 and 57474 of 2017 respectively.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Bhagwanpur P.S. Case No. 43 of 2017**, he shall be released on anticipatory 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, Begusarai**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two



consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

