

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56282 of 2017

Arising Out of PS. Case No.-312 Year-2013 Thana- FATUHA District- Patna

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Ram Jeevan Roy son of Late Bansh Lochan Roy Resident of Village and P.S. Runnisaidpur, District - Sitamarhi, presently residing at Mohalla - Ashok Nagar, Road No. 11, P.S. Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation Ltd., Patna through the District Manager, State Food Corporation, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 17-05-2018 Heard learned counsel for the petitioner and learned APP
for the State as well as counsel for the BSFC.

Petitioner apprehends his arrest in Fatuha P.S. case no.
312 of 2013 instituted for the offence under Section(s)
409,467,468,471 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that he is not
named in the written report. There is specific allegation against
the proprietor of Rice Mill, namely, Arun Kumar of
misappropriating the paddy which has been allotted to his mill,
namely, Sidhi Vinayak Rice Mill after entering into an
agreement with BSFC. The name of the petitioner has come
during investigation stating that this petitioner did not submit



the inspection report about milling of the paddy. It is further submitted that after issuance of letter dated 20.7.2013 (Annexure-3) he has inspected the Mill as mentioned in the written report along with other mills and submitted inspection report which is annexed as Annexure-4. From perusal of Annexure-4, it appears that proper inspection report has been submitted by the petitioner to the District Manager for which there is also endorsement on the left side of the report about receipt of the report. It is further submitted that petitioner was working as Assistant Godown Manager and he has already retired from service.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Fatuha P.S. case no. 312 of 2013, 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 the learned ACJM, Patna City, Dist. Patna, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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)

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