

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18087 of 2018

Arising Out of PS.Case No. -58 Year- 2017 Thana -PUPRI District- SITAMARHI

=====

1. Vijay Kumar Mishra S/o Ram Anek Mishra, R/o Mohalla- Usha Sadan
Budh Nagar, Road No.2, Postal Park Chiraiyatar, P.S.- Kankarbagh,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Managing Director , Bihar State Food Corporation Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. Adv.
Mr. Alok Kumar Jha, Adv.
For the BSFC : Mr. Nirat Kumar, Adv.
For the Opposite Party/s : Mr. Smt. Madhuri Lata

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Pupari P.S.Case no.58 of 2017 registered for offences punishable
under Sections 409,406 and 420 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that Anil
Kumar Sharma has not handed over charge to his incumbent in
proper way and in the stock register, less materials were found.
Earlier he was Godown Manager.

Submission of the learned counsel for the petitioner is that
he has handed over charge in the year 2014 and thereafter one
Vijay Kumar Jha handed over charge and thereafter Anil Kumar



Sharma and after that Shahjad Alam has taken over charge and as such it is prior to the period of the petitioner.

Heard learned A.P.P. and the learned counsel for the B.S.F.C. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender within a period of four weeks from the date of receipt of the order and on his surrender he will be released on provisional bail for the period till submission of the charge sheet and during that period he will co-operate in the investigation of the case, otherwise his bail bond shall be cancelled. It is also made clear that once the charge sheet is submitted and the case is found true against him, he will surrender before the learned court below, which will be considered on the basis of materials available at that time.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

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

