

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45617 of 2018

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1. Chandan Mandal, S/o Late Satya Narayan Mandal, Resident of Village-
Khokshi Bara West, P.S. Gwalpara, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-08-2018 The petitioner is apprehending his arrest in connection
with Udakishunganj P.S. Case No. 77/2008, registered for
offences punishable under Section 409 of the Indian Penal Code.

Allegation against the petitioner is of recovery of 350
kilograms of rice from the Verandah of the house of the petitioner
and the same is alleged to be of Mid – day Meal Scheme.

Submission of learned counsel for the petitioner is that
earlier final form was submitted in this case and petitioner was not
sent up for trial, however, differing with the final form, learned
Magistrate took cognizance in the year 2012 and he has falsely
been made accused in this case.

Learned counsel for the State opposed the prayer for bail
and submitted that the case is very old and after six years of
cognizance petitioner has now moved for grant of anticipatory



bail.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner to surrender before the court below within a period of six weeks and pray for regular bail and if any such application is filed, the court below shall consider the submission of learned counsel for the petitioner especially the submission that earlier in this case final form was submitted and petitioner was not sent up for trial and the court below shall pass dispose of the prayer for regular bail of the petitioner, if possible, on same day.

(Vinod Kumar Sinha, J)

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