

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59664 of 2018

Arising Out of PS.Case No. -39 Year- 2014 Thana -DUMRA District- SITAMARHI

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1. Dilip Kumar Sah @ Dilip Sah S/o Late Muni Lal Sah, R/o Vill.- Motipur,
P.S.- Tajpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, BSFC Sitamarhi, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv
: Mr. Birendra Kumar, Adv
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP
For the B.S.F.C. : Namrata Mishra, Adv

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-11-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
420,406,409 of the Indian Penal Code.

The petitioner is not named in the FIR. The FIR
relates to misappropriation of paddy by the named person.

Submission is that during the investigation, it
revealed that the petitioner was transporter from purchase
centre to the godwon of Food Corporation of India. There is
no other material to substantiate that in fact owner of the
purchase centre had supplied the paddy through the



transport agency of the petitioner and that did not reach the godown of the Food Corporation of India.

Learned counsel for the Bihar State Food Corporation opposed the prayer for anticipatory bail.

Considering the fact that there is no substantial material against the petitioner to compel the petitioner to go to jail, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Dumra P.S.Case No.39 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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