

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52213 of 2017

Arising Out of PS.Case No. -279 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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Ranjeet Kumar @ Ranjeet Prasad

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Adv.

For the BSFC : Mr. Harish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 25-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Laheri P.S. Case No. 279 of 2017 instituted for the offence under Sections-409/34 of the Indian Penal Code.

It is alleged in the written report that in the light of letter No. 4076 dated 28-06-2017 of the District Magistrate, Nalanda, an enquiry of the State Warehousing Corporation, CMR godown, Bihar Sharif was conducted by the District Supply Officer, Nalanda. On verification, allegedly 59279.50 quintals of rice were available in place of total 76203.71 quintals of rice and as such, 16768.50 quintals government rice was found missing. The standard of rice was also found bad. The District Magistrate directed to lodge FIR against this petitioner who was Godown Superintendent and one another accused Mr. Abhay Kumar, who used to work as contractual Assistant.

Counsel for BSFC has appeared and referred to Annexure-C to the counter affidavit wherein it has been mentioned that total



responsibility of the maintenance of the Godown was with the petitioner. He has also pointed out towards Annexure-D wherein the petitioner has admitted to have taken responsibility for proper maintenance of the stock.

Counsel for the petitioner has submitted that one of the accused Abhay Kumar has been granted anticipatory bail by this court vide order dated 03-11-2017 passed in Cr. Misc. No. 44788 of 2017.

It is mentioned in the aforesaid order itself that the entire responsibility for maintenance of quality and quantity of the paddy in Godown was with the Godown Superintendent.

The enquiry report which has been enclosed with the first information report (Annexure-3) speaks that Godown Superintendent was responsible for maintaining stock and if there was any shortage of paddy, it was his responsibility. The show cause has also been issued against this petitioner for his latches.

Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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