

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42222 of 2017

Arising Out of PS.Case No. -245 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Manoj Kumar Singh, Son of Late Shiojee Singh, resident of Mohalla-
Kankarbag, P.S.- Kankarbag, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Dist. Manager, State Food Corporation, Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amar Nath Singh, Advocate. Mr. Amrendra Nr. Rai, Advocate.
For B.S.F.C.	:	Mr. Harish Kumar, Advocate.
For the State	:	Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 23-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Harnaut P.S.**

Case No. 245 of 2016 instituted for the offence under Sections
406, 409, 420 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
he is not named in the First Information Report. In the First
Information Report there is specific allegation against Ranjeet
Kumar, owner of Vikash Agro Pvt. Ltd. and Shiv Shakti Rice Mill
who has not deposited the rice to the extent of 28,236.40 quintal in
SFC Kharuara godown and he had forced the Assistant Godown
Manager and co-accused Animesh Gunjan Rao to make entry in



the books of account. It is further alleged in the written report that Animesh Gunjan Rao, the then Assistant Godown Manager has admitted this fact in writing before the District Manager and accepted that Ranjeet Kumar has not deposited 28,236.40 quintal rice in SFC Kharuara godown. The First Information Report has been lodged against Ranjeet Kumar and Assistant Godown Manager Animesh Gunjan Rao.

Learned counsel for the petitioner has mentioned in paragraph-7 of the bail petition that he joined as District Manager, SFC, Nalanda, in the month of January, 2015 and worked as District Manager up to 24.08.2015 and, thereafter, joined on 24.08.2015 as Deputy Chief, Finance, head Office, Patna, in view of transfer order issued by Head Office and accordingly, he handed over the charge to the informant of the case who was posted as District Manager, Nalanda, which is evident from letter dated 27.08.2015 issued by Head Office, Patna. The present First Information Report has been lodged on 5.9.2016 after more than one year of petitioner's relieving order.

Learned counsel for the petitioner has further submitted that co-accused Parwez Alam has been granted anticipatory bail by this Court vide order dated 09.01.2018 passed in Cr. Misc. 37798 of 2017.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Harnaut P.S. Case No. 245 of 2016**, 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 **learned Chief Judicial Magistrate, Nalanda (Biharsharif)**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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