

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50889 of 2017

Arising Out of PS.Case No. -476 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Santosh Prasad, Son of Late Babban Prasad, PACS Chairman, G.P. Belaon, Resident of Village- Mauhatta, P.S.- Belaon, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Ashok Kumar Singh, S/o Late Lallan Singh, R/o Barka Lohar, P.o- Farna, P.S.- Barahra, Dist.- Bojpur, Bihar, At present District Co-operative Manager Bihar State Food Corporation, Bhabua (Kaimur).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr.Adv.
For BSFC : Mr. Nirmal Kumar, Adv.
For the Opposite Party/s : Mr. Sri Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 22-02-2018 Heard learned counsel for the petitioner, learned counsel for the BSFC and learned APP for the State.

Petitioner apprehends his arrest in Bhabua P.S. Case No. 476 of 2017 instituted for the offence under Sections 420, 467, 468, 471 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that allegation is totally based on the documents, which is alleged to be forged.

Counsel for BSFC appeared and submitted that for similar allegation another case was filed vide Bhagwanpur (Belaon) P.S. Case No. 114 of 2017, in which bail was rejected by



this Court on 06.02.2018 in Criminal Miscellaneous No. 54299 of 2017.

In the instant case there is allegation against the petitioner that he did not deposit 2987 quintals of CMR which was to be returned by him in respect of the paddy entrusted to him for milling and also in support of deposit of that rice he submitted forged receipts in the BSFC.

Counsel for the BSFC filed detailed counter affidavit in which it was stated that a report was called from the Assistant Manager, Quality Control and Executive Assistant of concern Godown and they have submitted a report that false bills have been submitted in this case by the petitioner. Learned Counsel for BSFC has pointed out letter written by petitioner himself, which is annexure-(C) to the counter affidavit, to the Manager BSFC wherein he has admitted of having given false bills and he has stated that he will withdraw those bills.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail. Prayer for anticipatory bail is, accordingly, rejected.

(Sanjay Priya, J)

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