

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17854 of 2018

Arising Out of PS.Case No. -18 Year- 2014 Thana -C.B.I CASE District- PATNA

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Sheo Raut @ Sheo @ Shio S/o Late Jhakkhar Raut R/o Ward No. 11 Station
Road Chanpatiya, P.S. - Chanpatiya, District - West Champaran.

.... Petitioner

Versus

The Union of India through Director C.B.I.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar (Sc,Cbi)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-04-2018 Heard both sides.

The petitioner apprehends his arrest in Special Case No.09/2014, (R.C. No. 18(A)/2014 registered under Sections 120B, 420 of the Indian Penal Code, 13(2) R/w 13(i)(d) of P.C. Act.

Learned counsel for the petitioner submits that from perusal of the allegation contained in the F.I.R. it would appear that Suresh Lakra, the then Area Manager, D.O., Motihari, P.N. Singh, the then Area Manager, D.O., Motihari, Ashok Kumar Paswan, the then Area Manager, D.O., Motihari and Surendra Prasad, AG-1(D), the then Depot Incharge of F.S.D., Chanpatia and other officials of F.C.I. entered into criminal conspiracy with M/s Arun Kumar Agrawal and M/s Ravi Transport Agency to do



or caused to be done an illegal act in between 01.04.2010 and 21.05.2012 and sent the food grains from railway gate to F.C.I. depot but in fact the food grains were transported from railway gate to different godowns of Food Storage Depot and F.C.I. suffered a huge loss of more than Rs. 2 crores and the same was misappropriated by the authorities.

Learned counsel for the petitioner submits that the petitioner Sheo Raut is not named in the F.I.R. From perusal of the charge sheet (Annexure-2) at page 34, internal 15, it would appear that Subhash Chandra Verma, the then Gate-in-charge and Shri Sheo Raut @ Shiv Raut, the then Gateman of Chanpatia were made approved by the Investigating Officer. Subhash Chandra Verma made entry in the register at persuasion of Sri Surendra Prasad, the D.O. incharge but the petitioner did not make any sort of entry with regard to any trucks and he is the best witness that is why the Investigating Officer recommended that the petitioner be made approved of the case. It is further submitted that Subhash Chandra Verma on this ground has already been granted anticipatory bail vide order dated 16.01.2018 passed in Cr. Misc. No.62290 of 2017 by a co-ordinate Bench of this Court.

Learned counsel appearing on behalf of the C.B.I. did not oppose this fact.



Considering the aforesaid facts that the petitioner was the Gateman of Chanpatia Depot and he did not make any entry in any register showing false transportation of trucks from rail gate to Chanpatia Depot and the Investigating Officer recommended that the petitioner be made approved, the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-C.B.I.-IIIrd, Patna, in connection with Special Case No.09/2014, (R.C. No.18(A)/2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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