

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31496 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

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1. Anil Kumar Singh, S/o Late Dwarika Prasad Singh, R/o Vill. - Dewaka
Kaithi, P.S. - Chautham, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food Corporation through M.D., Patna (Bihar), Food
Bhawan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 06-10-2018

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 and
409/34 of the Indian Penal Code.

The petitioner is Chairman of the Kaithi PACS.
Allegation is that the petitioner purchased 4,000 and odd quintals of
paddy from the farmers and misappropriated the price of 1,004
quintals.

The record reveals that the petitioner had purchased
paddy from different farmers in different quantity as Chairman of the
PACS and had paid the cost of the paddy to the farmers in their Bank
Account. The record, specially, the inquiry report enclosed with the
FIR reveals that entire 4,000/- and odd quintals of paddy was handed



over to the miller for milling purpose. The evidence of miller before the inquiry officer reveals that after milling the paddy, he handed over the CMR of rice to the Bihar State Food Corporation of India. The Managing Director of the Bihar State Food Corporation of India has also accepted receipt of the same before the enquiry officer. Apparently, no allegation is made out against the petitioner for the purpose of consideration of prayer for this anticipatory bail.

Hence, 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/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Chautham Police Station Case No. 162 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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