

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6597 of 2018

Arising Out of PS.Case No. -76 Year- 2017 Thana -SHAMBHUGANJ District- BANKA

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Chandan Kumar Singh @ Chandan Kumar S/o Sri Rudreshwar Prasad Singh, R/o Village- Pakariya, P.S.- Shambhuganj, District- Banka, the then Agriculture Coordinator, P.S.- Shambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State Food Corporation through the District Manager, State Food Corporation, Banka.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

For the B.S.F.C. : Mr. Sanjay Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-03-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Shambhuganj P.S. Case No. 76 of 2017, registered for offences punishable under Sections 420, 409, 120(B)/34 of the Indian Penal Code.

The allegation against the accused persons is regarding defalcating 1370.41 quintals paddy from the B.S.F.C.

The learned counsel for the petitioner submits that the main accused person has already been granted anticipatory bail subject to submission of Bank guarantee of the amount of defalcation. It is further submitted that as far as the petitioner herein is concerned, he is merely an Agriculture Coordinator and



has got no role to play in the alleged occurrence.

Per contra, the learned counsel for the B.S.F.C. has submitted that the same condition as imposed on the person who has already been granted bail, be imposed on the present petitioner.

I find that the said submission is wholly unwarranted for the reason that the entire amount has already been secured by the B.S.F.C. while the other co-accused person was granted bail by this Court and secondly, even otherwise the present petitioner has got no complicity in the matter.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 76 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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