

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10200 of 2018

Arising Out of PS.Case No. -198 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

=====

Shailesh Kumar, Son of Sunil Mahto, Resident of Village and Post Office-
Kariyanna, Police Station- Silao, District Nalanda, Ex-Office- Assistant,
Purchase Centre Katari Sarai, Police Station Katari Sarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food & Civil Supplies Corporation, Bihar, Patna through its
Chairman.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Naresh Sharma
For the Opposite Party/s : Mr. Arun Kumar Singh -5
For the B.S.F.C. : Mr.Sanjay Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by the learned counsel for the
B.S.F.C..

Petitioner apprehends his arrest in Giriyak P.S. Case
No.198 of 2016 for the offence under Sections 406, 409, 420/34
of I.P.C.

Counsel for the petitioner submits that the petitioner was
working as Office Assistance in the year 2013-14 in the Purchase
Centre, Katari Sarai. He further submitted that 4682.92 quintals
Government paddy was supplied to M/s Krishna Rice Mill which
will be apparent from Annexures- 4,6 and 7. Annexure-4 is letter



issued by the District Manager to the Krishna Rice Mill making demand of the rice, after milling as per agreement. The State Issue orders (SIO) are duly signed by the District Manager as well as Proprietor of Krishna Rice Mill, with regard to receipt of the paddy in the Mill as will appear from Annexure-6 series.

The B.S.F.C. (O.P.No.2) has not denied the genuineness of these documents in the counter affidavit.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Nalanda (Bihar Sharif), in Giriyak P.S.Case No.198 of 2016 subject to the conditions as laid down under Section 438(2) of 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 co-operate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will



automatically cancel bail bond of the petitioner and (3) if petitioner tamper 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)

AnilKrSinha/-

U			
---	--	--	--

