

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38585 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- HILSA District- Nalanda

Shankar Ram S/o Late Sri Nath Ram, R/o Dhamar, P.S.- Arrah Muffasil,
District- Bhojpur at Arrah And at present Block Agriculture Officer Cum
Assistant Godown In Charge, C.M.R. Hilsa, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dr. Rajesh Kumar Singh, Adv.
For the Opposite Party : Smt. Pronati Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 29-08-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Hilsa P.S. Case No. 68 of 2018 (G.R. Case No. 238 of
2018) registered for the offences punishable under Sections
420/409/120(B) of the Indian Penal Code.

FIR was instituted by District Manager, State
Food and Civil Supplies Corporation Limited, Nalanda
addressed to Officer-in-charge, Hilsa Police Station with regard
to embezzlement of rice measuring 7,000 quintals. Petitioner
was Block Agriculture Officer-cum-Assistant Godown-in-
charge for three Godowns. It has been alleged in the written
complaint that full responsibilities of maintenance of



stock and register was of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case, prior to institution of present case by the District Manager, State Food and Civil Supplies Corporation Limited, Nalanda after having knowledge of misappropriation and defalcation he had instituted FIR against the Assistant Executive, Sanjiv Kumar who was responsible for safety and proper maintenance of rice in the Godown. The key of the Godown also remained with said Sanjiv Kumar. It has been further stated that pursuant to his FIR substantial quantity of rice has been recovered by the police which has come in Para-79 of the Case Diary. It has been further submitted that he was posted as a Block Agriculture Officer and was given additional charge of Assistant Godown-in-Charge and as such it was very difficult for him to properly discharge both the duties and the accused has taken advantage of the situation and has misappropriated the rice inconnivance with other accused and petitioner is not responsible for the same. It has been further submitted that Sanjiv Kumar, Executive Assistance has been granted Anticipatory Bail by this Court in Cr. Misc. No. 26519 of 2018 vide order dated 19.06.2018. It has been further submitted that the so called certificate granted by the



petitioner in favour of said Sanjiv Kumar is fake letter and no such certificate was granted by the Petitioner. Petitioner has clean antecedent and has been falsely implicated in this case. He is in custody since 18.02.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Hilsa P.S. Case No. 68 of 2018 (G. R. Case No. 238 of 2018).

(S. Kumar, J)

Rajiv/manoj

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