

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16483 of 2019

Arising Out of PS. Case No.-21 Year-2017 Thana- GWALPARA District- Madhepura

RABINDRA RAI @ RAVINDRA RAY Son of Subhash Rai Prop. Govind Rice Mill, Karauti Resident of village-Karauti, Police Station-Udakishunganj, District-Madhepura.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Kailash Mehra Son of Late Singheshwar Mehra, Resident of Village-Sarauni Kala, Police Station-Bihariganj, District-Madhepura, the Chairman, Sarauni PACS, Police Station-Bihariganj, District-Madhepura.

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Rana, Advocate.
For the State	:	Mr. Dashrath Mehta, A.P.P.
For the opposite party no.2:		Mr. Shardanand Mishra, Advocate.
		Mr. Dhananjay Kumar Gupta, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

- 3 20-06-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the opposite party no.2.

The petitioner apprehends his arrest in connection with Gwalpara Police Station Case No.21 of 2017/G.R. No.205 of 2017 registered under Sections 406, 409, 420, 467, 468 and 120B/34 of the Indian Penal Code, pending in the court of Shri Shiv Kumar, Judicial Magistrate, First Class, Udakishunganj, District-Madhepura.

The accusation is that the petitioner being the rice



millar received 2399.98 quintals paddy from the opposite party no.2. After milling, while the petitioner returned 841 quintals rice but retained 1144.74 quintals paddy worth Rs.16,14,111/-. On repeated requests, the petitioner neither returned the paddy nor gave Rs.16,14,111/- to the opposite party no.2.

Learned counsel for the opposite party no.2 submits that the petitioner is the habitual offender and he is in accused in five other cases of similar nature.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

