

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19554 of 2019

Arising Out of PS. Case No.-8 Year-2017 Thana- NARHATT District- Nawada

KAMTA PRASAD Son of Late Rambarat Prasad Resident of J.K.S/G- 28
behind the Flat of Ramlakhan Mahto, Old Jakkanpur, P.S.- Gardanibagh,
District- Patna- 800001

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinod Kumar, Adv
For the Opposite Party/s	:	Mr.Parmeshwar Mehta, APP
for BSFC	:	Mr. Nirmal Kumad, Ad.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-05-2019 This application, for grant of anticipatory bail, arises
out of Narhat P.S. Case No. 08/2017, disclosing offences under
Sections 420, 409, 467, 468, 353, 120(B) of the Indian Penal
Code.

Petitioner happens to be the then Manager of Bihar
State Food Corporation, Narhat and allegation against him is of
defalcation of Govt. money to the tune of Rs. 1,59,68,675.53/-.

Submission of learned counsel for the petitioner is
that as a matter of fact his term of service expired and as such he
handed over the charge and at that time no misappropriation
was found, however, now this present false case has been filed
with oblique motive.

Heard learned A.P.P. as well as learned counsel



appearing on behalf of B.S.F.C. Learned counsel for the B.S.F.C. has opposed the prayer for bail and submitted that without handing over the charge, petitioner left the job and on the direction of the District Magistrate, inventory was verified and found the reice and wheat in huge quantity missing and as such a huge defalcation has been detected.

Having heard both sides, considering the allegation as well as the magnitude of defalcation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular, who will consider the same of the same on the basis of materials available on record.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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