

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23508 of 2019

Arising Out of PS. Case No.-298 Year-2018 Thana- RANIYATALAB District- Patna

Ashok Kumar, S/o Praduman Singh Resident of Rajputana, Near Kalibari
Mandir, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Bindhyachal Singh

Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Rani Talab Police Station Case No. 298 of 2018, disclosing offences punishable under Sections 379, 403, 406, 119 and 120(B) of the Indian Penal Code.

The petitioner, at the time of an inquiry departmentally conducted, was In-charge Depot Manager of Nisarpura Buffer Stock, maintained for stacking sand and stone chips. Allegedly, in course of inquiry, shortfall of 2,24,674 cubic feet of sand and 18040.5 cubic feet of stone chips was detected in the stock.

It is being contended on behalf of the petitioner that he was made In-charge of Depot Manager only for months before the enquiry was conducted, after transfer of one Pasuram Singh, who was the regular Depot Manager. It is also being argued that there is no allegation in the First Information Report that the petitioner



played any role as a Depot Manager and any of his conducts has resulted into misappropriation of the public property for his personal gain.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IInd, Danapur in connection with Rani Talab Police Station Case No. 298 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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