

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43439 of 2019

Arising Out of PS. Case No.-122 Year-2012 Thana- BHAGWANPUR District- Vaishali

SUMAN KUMAR S/o Chanarik Rai Resident of Ward 02, Village-
Lakhanpur Tal, Post- Desari, P.S.- Lakhanpur Tal, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Mohan Mishra

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 25-09-2019 This application, for grant of anticipatory bail, arises out of Bhagwanpur (Vaishali) P.S. Case No. 122 of 2012, disclosing offences under Sections 406, 409, 467 and 468 of the Indian Penal Code.

Prosecution case is that the informant Pramod Kumar Singh, the rice miller made a written report to the police, wherein it has been alleged that there was agreement that petitioner along with other co-accused would deliver paddy and subsequently the informant would supply resultant rice to the accused and others and as per agreement with the SFC, the informant has received 34,851.37 quintal of paddy and, thereafter, the informant supplied the whole rice but subsequently, he found that the accused person has not deposited whole rice to the SFC rather defalcated 12690 quintal amounting to Rs. 2,05,57,800/-

Submission of learned counsel for the petitioner is that



the in this case, police after investigation has not found the allegations true and submitted final form, however, cognizance has been taken by the learned Magistrate and the petitioner has falsely been implicated in this case as earlier Bihar State Food Corporation has lodged a case against the informant and in order to save his skin, the informant has come with this false case.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, 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. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Hajirpur, Vaishali, in connection with Bhagwanpur (Vaishali) P.S. Case No. 122 of 2012, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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