

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30055 of 2019

Arising Out of PS. Case No.-62 Year-2017 Thana- BELHAR District- Banka

ASHOK KUMAR Son of Mishri Lal Das Resident of Village - Imadpur, P.S.-
Biharshariff, District - Nalanda, at present Extention Officer (Industrial and
Commerce), Belhar, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Belhar P.S.Case No.62 of 2017 (G.R.No.947/17) registered for offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

Petitioner happens to be purchase incharge of the Dodown and as per the allegation the petitioner has procured 86411.88 quintal of paddy from the villagers and sent to the Miller 83791.98 quintal as such being shortage of 1619.90 quintal paddy. It appears that out of that 960 quintal have been sold on auction and te still there remains 1659.90 quintal of paddy in shortage in the Godown.

Submission of the learned counsel for the petitioner is that the capacity of the Godown was only to keep 4500 quital of paddy and rest of the paddy was kept at open place . He has also given several letters to the District Magistrate with regard



to the same but no action was taken and as such there is shortage of the paddy. Further he is also facing certificate case.

Heard learned A.P.P. and the learned counsel for the B.S.F.C., who has opposed the prayer for bail on the ground that there is shortage of 1659.90 quitnal of paddy in the Godown. He is purchase Incharge of the Godown and he has caused loss of revenue of Rs.23,32000/- and odd and the explanation does not appear to be probable. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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