

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36732 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- PAHARPUR District- East Champaran

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HARI SHANKAR PRASAD Son of Sri Jagarnath Prasad Prop. M/S Shivam
Rice Mill, Kritpur, P.S.- Paharpur, Distt - East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The District Manager, S.F.C, Motihari. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 26-06-2019 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection with

Paharpur P.S. Case No. 256 of 2018 registered for the offence

punishable under sections 406, 420, 409, 467, 468, 471, 188

of the Indian Penal Code.

Learned counsel appearing for the petitioner

submits that petitioner is innocent and has falsely been

implicated in this case. Petitioner has not defalcated any

Government money. As a matter of fact, petitioner had

already got the paddy converted into CMR but the SFC,

Sitamarhi has not lifted the same. Petitioner has already

submitted the deed of pledge against the received paddy.



Learned Addl. P.P. appearing for the State opposes the prayer for bail of the petitioner and submits that at the time of agreement petitioner had given bank guarantee of Rs. 3,50,00000/- but on verification the same was found to be forged. Moreover, witnesses have also supported the case of prosecution. He, therefore submits that petitioner does not deserve to be granted the privilege of anticipatory bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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