

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40274 of 2019

Arising Out of PS. Case No.-105 Year-2013 Thana- MADHEPURA District- Madhepura

SANJIT KUMAR SINGH @ SANJIT SINGH S/o Ramchandra Singh R/o
bhadilya, P.O.- Baruna, P.S.- Gogari, District- Khagaria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The District Manager, State Food Corporation, Madhepur, Ashok Kumar Nidhi, S/O - Late Laxman Nidhi, Village and P.O.- Rohar, P.S.- Biraul, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Mohan Mishra
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 14-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 19.09.2017 in connection with Madhepura P.S. Case No. 105 of 2013 for the offence registered under Sections 406, 409, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is the Manager of the concerned rice meal which is being run by his wife as its proprietor. It is further submitted that an agreement was executed by the wife of the petitioner and the District Manager for milling of paddy and the rice was to be supplied to the Corporation. The allegation against the petitioner



is that though the paddy was supplied, rice in proportion was not sent to the Corporation which necessitated the filing of the present first information report. It is further submitted that the main allegation is against the said Supriya Devi wife of the petitioner, who was the owner of the rice meal and had executed the agreement with the State Food Corporation. It is further submitted that nor is there any material in the first information report itself to indicate that the petitioner had been authorized by the said Supriya Devi to receive paddy on her behalf and/or to execute any work for milling the same and sending it to the corporation. He thus, submits that the petitioner may be extended the privilege of regular bail as he is in custody for nearly two years.

Learned counsel for the State submits that the Food Corporation is appearing in the case but when the case is being heard, no one has appeared on behalf of the State Food Corporation to resist the present application for bail.

Considering the period of custody and that the main allegation is against the wife of the present petitioner, let the petitioner, above named, 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 Additional Chief Judicial



Magistrate, Madhepura, Darbhanga in connection with
Madhepura P.S. Case No. 105 of 2013, subject to the following
conditions:-

1. One of the bailors will be his own blood relative,
preferably, father, mother, son, brother, sister and/or his wife.
2. The petitioner shall not indulge himself in any
similar offence till conclusion of the trial.
3. The petitioner shall remain physically present in
court on each and every date during trial and in the event of his
failure on two consecutive dates without sufficient reasons, his
bail bonds shall be liable to be cancelled by the learned court
concerned.
4. The petitioner shall co-operate with the
investigation, if not already concluded, and make himself
available as and when so required and in case of failure, the
State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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