

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38063 of 2019

Arising Out of PS. Case No.-60 Year-2016 Thana- FALKA District- Katihar

RAJESH KUMAR RAJAK S/o Jai Prakash Rajak R/o Mohalla- Chandan
Nagar, P.S.- Sadar Punea, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Manager, BSFC, Purnea Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-12-2019 This application, for grant of anticipatory bail,

arises out of Falka P.S. Case No. 60 of 2016, disclosing offences
under Sections 406, 409, 420 and 34 of the Indian Penal Code.

It appears that earlier vide order dated 05.07.2017
passed in Cr. Misc. No. 21626 of 2017 and vide order dated
13.07.2017 passed in Cr. Misc. No. 44018 of 2017, the prayer of
the petitioner for grant of anticipatory bail has already been
rejected and there is allegation against the petitioner that he took
delivery of paddy from the informant and made criminal
misappropriation thereof causing loss of Rs. 70,00,000/-.

Submission of learned counsel for the petitioner is
that through R.T.I., the petitioner came to know that no delivery
was given to the petitioner and, therefore, the petitioner has



renewed his prayer for anticipatory bail.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also the fact that prayer for anticipatory bail of the petitioners has already been dismissed twice and after two years, he has now come for grant of anticipatory bail again, as such, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail, which will be considered by the court below on the basis of materials available on record as well as on the submission of learned counsel for the petitioner, without being prejudiced by the order of this Court.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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