

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40591 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- VIJAYEPUR District- Gopalganj

SIDHESHWAR PRASAD S/O Late Ram Murat Ram Resident of B-9, Anand Vihar, P.O.- Anisabad, P.S.- Phulwarisarif, District- Patna, at present posted Assistant Manager, TPDS, Vijaipur, P.S.- Vijaipur, District- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N. K. Agrawal, Senior Advocate
		Mr. Dhananjaya Nath Tiwari, Advocate
For the Opposite Party	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-07-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Vijaipur P.S. Case No. 61 of 2019 for the offence punishable under Section 7 of the E.C. Act and Sections 420/409 of the Indian Penal Code.

The petitioner is Assistant General Manager, working under Bihar State Food and Civil Supplies Corporation. It appears that the District Magistrate, Gopalganj, had received information to the effect that the P.D.S. Dealers were being supplied less quantity of food grains than the specified quantity. It seems that in course of enquiry, 47.200 Kg. of food grains was found in one bag in place of 50 Kg.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that the P.D.S. dealer did not raise any



grievance that less quantity than specified was supplied to him. It has also been argued that even if the allegation made in the First Information Report is treated to be correct, in the absence of any direct role attributed against the petitioner, his implication is not justified.

Be that as it may, in the facts and circumstances, case for grant of anticipatory bail is made out.

This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned A.C.J.M.-IV, Gopalganj, in Vijaipur P.S. Case No. 61 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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