

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64541 of 2018

Arising Out of PS. Case No.-75 Year-2015 Thana- BIHRA District- Saharsa
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Chandra Shekhar Mishra Son of Late Birama Aditya Mishra, Resident of
Village- Bishoini, P.O.- Salarpur, P.S.- Parbatta, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Durga Nand Jha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 03-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406, 420 and 409 of the Indian Penal Code
registered in connection with Bihra P.S. Case No. 75 of 2015.

3. It is submitted that the petitioner has been falsely
implicated in connection with misappropriation of 9161.70
quintals of CMR rice. It is submitted that despite reminders, the
millar failed to deposit the CMR nor the cost thereof with the FCI.
There was thus no lapse on the part of the petitioner. The said
millar Sita Ram has been granted regular bail by this Court.

4. Learned APP on the other hand opposes the
anticipatory bail petition and invites reference to the order of the
learned Ist Additional Sessions Judge, Darbhanga wherein it has



been observed as follows -

“ The petitioner was deputed incharge of Purchase Centre, Kahra for purchasing paddy from different cultivators at his Paddy Purchase Centre for the year 2012-13 and from that paddy purchase centre, paddy was transported by Pick-up Van No. BR-19C-5471 and on enquiry the said vehicle was found forged as the said number was of a Hero Honda Motor Cycle which reveals involvement of the petitioner in misappropriation of a huge amount of public money in connivance with other accused persons by preparing forged and fabricated bills of public money.”

5. Having regard to the nature of allegations, gravity of the offences as well as the facts noticed in the order of the learned Ist Additional Sessions Judge, Darbhanga, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

Ibrar/BT

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