

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60738 of 2019

Arising Out of PS. Case No.-147 Year-2016 Thana- LADANIA District- Madhubani

Lakshaman Kumar @ Laxhman Kumar S/o Vishwanath Yadav Resident of
Village- Maurkiya, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Ladaniya P.S. Case No. 147 of 2016 (A.B.P. No. 1081 of 2019), registered under Sections 406, 409 and 420 of the Indian Penal Code.

The allegation against the petitioner, as per FIR lodged by *Sadhan Sevi Madhyan Bhojan* (resource person of midday meal), is that total quantity of 400 KG of rice was handed over to the petitioner for supplying the same at Primary School for the purpose of mid-day meal, but the informant received information on his mobile that the villagers are protesting near the school due to non-supply of rice for the month of November, upon which the informant tried to inquire



from the Head Master of the school and the villagers told that the rice is kept in the house of one Mohd. Firoz of village Padma, Madhubani and upon inquiry from the petitioner he informed that 400 KG rice has already been handed over to the Head Master of the school and he produced the receipt of rice issued by the Head Master before the informant.

Learned counsel for the petitioner submits that the petitioner is a contractor and used to supply the food-grains at the door steps of the school and from perusal of the FIR, no offence much-less criminal offence is made against the petitioner inasmuch as petitioner has produced the receipt of supply of rice duly issued by the Head Master of the school to the informant. He further submits that 400 KG rice was found in the house of one Mohd. Firoz and the petitioner has unnecessarily been dragged in this case, only on the basis that he is a contractor and he supplied rice.

After having heard learned counsel for the parties and taking into consideration the fact that according to the FIR the petitioner has produced the receipt of rice issued by the Head Master of the school, I am inclined to grant anticipatory bail to



the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Ladaniya P.S. Case No. 147 of 2016; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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