

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65258 of 2018

Arising Out of PS. Case No.-155 Year-2015 Thana- LAHERIYASARAI District- Darbhanga

Smt. Ranjana Kumari D/o Late Rama Shankar Pandey Resident of Village-&
P.S. Chausa, Distt.-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation Ltd. Daroga Rai Path, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chitranjan Sinha, Sr.Advocate
For the BSFC	:	Mr.Shailendra Kumar Singh, Adv
For the State	:	Mr.Sri Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 420, 406, 409, 120(B) IPC registered in connection with Laheriasarai P.S. Case No. 155 of 2015.

3. It is submitted that the petitioner who was posted as the District Manager, State Food Corporation, Darbhanga at the relevant time has been falsely implicated and she is not named in the FIR which is against the Rice Miller Devesh Kumar Choudhary. The petitioner has been implicated after about three years of the institution of the FIR in terms of the requisition filed. It is submitted that Sri Ramrit Thakur with whom the petitioner entered into an agreement was duly authorised in that behalf by M/s Jagdamba Food Centre, Surhachatti. It is submitted that the said M/s Jagdamba Food Centre had paid more than 80% of the outstanding dues for the procurement year 2011-12 and hence in accordance with the guidelines of the SFC there was no irregularity in entering into an agreement for further supply with the said Miller. It is further submitted that transportation cost of Rs. 5.00



lakhs has been paid in a transparent manner by cheque. The FIR has been instituted without having regard to the detailed explanation submitted by the petitioner. The petitioner is a lady and has been granted anticipatory bail in the two other cases in which she has been made accused in relation to similar nature of transactions.

4. Learned counsel for the opposite party-BSFC vehemently opposes the anticipatory bail petition, submitting that the petitioner was the District Manager at the relevant time and has acted in connivance with the main accused Devesh Kumar Choudhary. It is submitted that despite an huge amount of Rs. 15,10,91,532.65 is outstanding against the said Devesh Kumar Choudhary for the procurement year 2012-13, who was not only the Rice Miller, but also the Transporter, an amount of Rs. 5.00 lakhs has been paid to him by the petitioner.

5. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the abovenamed petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Mr. Manish Kumar, learned Judicial Magistrate Ist Class, Darbhanga, in connection with Laheriasarai P.S. Case No. 155 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioner shall be well represented in Court on each and



every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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