

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77947 of 2018

Arising Out of PS. Case No.-39 Year-2017 Thana- MAJORGANJ District- Sitamarhi

Gaurav Kumar, son of Late Bhushan Sharma, resident of village
Shahdullahpur, P.S. Lalgunj, District Vaishali

... .. Petitioner

Versus

1. The State of Bihar.
2. The Managing Director, Bihar State Food Corporation, Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr.Dinesh Jha
For the Opposite Party/s	:	Mr.Sri Parmeshwar Mehta
For BSFC	:	Mr. Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-01-2019 Learned counsel for the petitioner is permitted to make necessary correction in paragraph-1 of the petition in the course of the day.

Petitioner apprehends his arrest in connection with Mejorganj P.S.Case No. 39 of 2017 registered for the offences punishable under Sections 420, 467, 468, 471, 409/34 of the Indian Penal Code and Section 7 of E.C. Act.

There is allegation of issuance of forged S.I.O. and on that basis commission of forgery in the godown was made. Petitioner happens to be the Computer In-charge of the godown.

Submission of learned counsel for the petitioner is that he is not Govt. employee, rather he is I.T. Manager and put the counter sign brought by the control room operator and sent



the same to account officer and thereafter distribution has been made by the District Manager and petitioner has no role to play. Further submission is that co-accused persons have been granted anticipatory bail by co-ordinate Bench of this Court vide order dated 29.8.2018 passed in Cr.Misc.No. 21497 of 2017 with analogous case.

Heard learned APP and learned counsel for the BSFC, who has opposed the prayer for anticipatory bail stating that petitioner has issued forged SIO and has committed forgery of crores of rupees and he is accused in three other cases.

Having heard both sides and in the facts and circumstances, to my opinion, this is not a fit case for grant of anticipatory bail, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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