

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73364 of 2018

Arising Out of PS. Case No.-129 Year-2017 Thana- BARHARIA District- Siwan

Mayank Kumar Choudhary @ Mayank Choudhary S/o Jivendra Choudhary,
R/o Vill-Karanpur, PS-Supaul, Distt.-Supaul, at Present Asst. Godown
Manager, Bihar State Food Corporation, Godown, Siwan, PS and Distt.-
Siwan.

... .. Petitioner.

Versus

1. The State Of Bihar.
2. Ram Kalyan Mandal, S/o Parmanand Mandal, Block Supply Officer,
Barharia Block, Distt.-Siwan.

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Senior Advocate. Mr. Amresh Kumar Sinha, Advocate. Ms. Preety Kunwar, Advocate.
For the State	:	Mr. Anand Mohan Prasad Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Barharia P.S. Case No.129 of 2017 registered under
Sections 406, 409 and 420/34 of the Indian Penal Code besides
Section 7 of the E.C. Act.

The accusation is that on receiving secret information,
the informant being the Block Supply Officer, Barharia, along
with the Officer Incharge of the Police Station-Barharia and
other police officials, proceeded for raid at Vishwakarma Rice



Mill, situated at village-Patti Valua, Block-Barharia, P.S. Barharia, District-Siwan. When they reached there, a white colour Pickup van bearing Registration No.BR29S/5789 loaded with 40 bags rice was found standing there. The driver of the pickup van with the help of police was apprehended, who disclosed his name as Sipahi Ram and also disclosed that he had carried the pickup van on the instruction of Arun Yadav to unload the 40 bags of rice at the Vishwakarma Rice Mill.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the petitioner, who is Assistant Godown Manager, B.S.F.C., Siwan, has been made accused on mere suspicion as it has come that the petitioner may have involved in the present case. Moreover, on checking, the stock of the godown was found intact.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Barharia P.S. Case No.129 of 2017, subject



to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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