

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81125 of 2019

Arising Out of PS. Case No.-119 Year-2016 Thana- MANSI District- Khagaria

SANJAY KUMAR @ SANJAY KUMAR SINGH, Son of Late Raghuni
Mahto Resident of Village - Chhoti Balaha, P.S.- Mansi Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Bhushan, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 379 and 411 of the
Indian Penal Code.

The prosecution case got initiated on the basis of written
report of Jawahar Singh submitted before the SHO, Mansi
Police Station is to the effect that on 29.06.2016 at 1.45 P.M.,
the informant was informed that the Headmaster of the Primary
School, Balha Bazar was carrying rice of Mid-day-meal with an
intention to commit theft. Thereafter, the informant and other
officials reached at the spot and 40 Kgs of rice were seized was
suspected to be mid-day-meal rice.

It is submitted by learned counsel for the petitioner that the
report of the D.P.O., annexed with the FIR suggests the stock



was found in order, but only on the basis of suspicion, the FIR has been registered. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the recovery of rice suggests that the mid-day-meal was sought to be misappropriated.

Considering the the fact that the report of the DPO is part of the FIR which substantially suggests the accusation is based on the suspicion, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria, in connection with Mansi P.S. Case No.119 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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