

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2530 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- GHOGHARDIHA District- Madhubani

NAVNEET KUMAR Son of Sri Chandradeo Ram Resident of Village-
Tenduni, P.O and P.S.-Bikramganj, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Addl. District Manager, Bihar State Food Corporation, Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate.
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-06-2020 This matter has been taken up through Video
Conferencing.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 420 and 409 of the Indian Penal Code and Section 7 of the E.C. Act.

155 bags of rice was found excess in the godown of the petitioner after verification from the stock register.

Learned counsel for the petitioner submits that the team which visited the godown of the petitioner had no expert. If any expert would have been inducted in the team, it would have become crystal clear that at place where more than 1 lac of bags were placed in a lot, such type of discrepancy was



natural and permissible as per the Rule which is stated on oath in Para 9 to 12 of the bail petition. Petitioner has got no criminal antecedent.

Learned counsel for the BSFC opposed the prayer for bail.

Considering the fact that proper verification of the stock of the godown of the petitioner was not done in presence of an expert, hence let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Ghoghardiha P.S. Case No. 130 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without
permission of the trial Court.

(Birendra Kumar, J)

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