

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15997 of 2020

Arising Out of PS. Case No.-45 Year-2016 Thana- SIDHWALIYA District- Gopalganj

BISHNU KUMAR SUREKA Son of Late B. L. Sureka Resident of Flat No. 107, Ambition Residency, Opp. Narayan Plaza, Exhibition Road, P.S.- Gandhi Maidan, District - Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. P.K. Shahi, Senior Advocate. Ms. Priya Gupta, Advocate.
For the State	:	Mr. Shyameshwar Dayal, A.P.P.
For the Informant	:	Mr. Ashish Giri, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 16-06-2020 Heard the parties through Video Conferencing.

The petitioner seeks bail in connection with Sidhwalia P.S. Case No.45 of 2016/G.R. No.1638 of 2016 registered under Sections 420, 406, 409, 467, 468 and 471 of the Indian Penal Code.

The accusation is that the petitioner Bishnu Kumar Sureka being the Executive President, Mr. Deo Chand Jha being the Sales Manager, Mr. Abdul Kalam being the Head Clerk, Mr. Achal Jha being the Assistant Sales Manager, Mr. Santosh Srivastava being the Drier House Clerk. Mr. Harendra Nath Singh being the Incharge of the Godown and Sapan Dutta Gupta being the Lab Incharge, of Bharat Sugar Mills, Sidhwalia, a unit



factory of Upper Ganges Sugar and Industries Limited, under conspiracy, misappropriated 79542.70 quintals sugar worth Rs.220608379.57/- for the financial year 2011-12 to 2015-16 of the Sugar Mill.

Learned senior counsel appearing on behalf of the petitioner submits that the petitioner has falsely been made accused by the management of the Sugar Mill. Further submission is that it would appear from the F.I.R. that the petitioner has been named in the accused column as Executive President of Bharat Sugar Mills, Sidhwalia, and there is allegation that he misappropriated 79542.70 quintals sugar worth Rs.220608379.57/- for the financial year 2011-12 to 2015, under conspiracy with the other F.I.R. named accused by making manipulation in the documents. While the other accused are still working in the Sugar Mill but only the petitioner has been apprehended by the police in this case on 21.01.2020 and he is in custody since 22.01.2020. On investigation, the police has already submitted the chargesheet against the petitioner and, as such, there is no chance for the petitioner to make manipulation in the documents.

On the other hand, learned A.P.P. for the State and the learned counsel for the informant opposed the prayer of the



petitioner for grant of bail submitting that the petitioner is the kingpin in misappropriation of the aforesaid money of the Sugar Mill, which is managed by the Upper Ganges Sugar and Industries Limited.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Miss Shobhna Tripathi, Judicial Magistrate, First Class, Gopalganj, in connection with Sidhwalia P.S. Case No.45 of 2016/G.R. No.1638 of 2016.

(Rajendra Kumar Mishra, J)

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