

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65204 of 2019

Arising Out of PS. Case No.-88 Year-2015 Thana- GOVINDGANJ District- East Champaran

Pushparaj Kumar Son of Bhim Kaji Resident of Village- Bairiya Khurd,
Police Station- Laukariya, District- West Champaran, Incharge Purchase
Centre Areraj Sangrampur Block, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Parmeshwar Mehta

For the State Food Corporation: Mr. Ranjan Kumar Srivastava

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

5 30-06-2020 Heard learned counsel appearing for the petitioner as well as Mr. Ranjan Kumar Srivastava for the State Food Corporation through video conferencing.

Petitioner apprehends his arrest in connection with Govindganj Malahi P.S. Case No. 88/2015 registered for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code.

Petitioner was working as Incharge of Purchase Centre at the relevant time and the name of petitioner came in this case during course of investigation as submitted by learned counsel appearing for petitioner.

The first information report goes to show that it was FIR named accused Shashi Bhushan, who took paddy but did not return CMR rice and defalcated huge amount.



Learned court below while rejecting the prayer of anticipatory bail of the petitioner vide order dated 28.8.2019 has referred several paragraphs of the case diary but from perusal of the aforesaid paragraphs, I find that no material evidence has been found against the petitioner and, moreover, paragraphs, as referred by learned court below, are not relevant in respect of the petitioner and without verifying the aforesaid fact, the learned court below rejected the prayer for anticipatory bail of the petitioner. Moreover, FIR named accused Shashi Bhushan and some others have already been granted privilege of anticipatory bail by different Benches of this Court and, accordingly, it is ordered that above named petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri R.M.Tiwari, learned Judicial Magistrate 1st Class, Chapra District Saran in Govindganj Malahi P.S. Case No. 88/2015 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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