

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71786 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- GHOGHARDIHA District- Madhubani

SHAMBHU SAHU @ RAMU SAH S/o Chulahai Sahu R/o village- Mohan
Badihyam, Ward No. 14, P.S.- Sakri, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. In-Charge Lifting- cum- Assistant Godown Manager, BSFC, Ghoghardiha,
Madhubani Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi
	:	Mr. Vijay Anand
For the Opposite Party/s	:	Mr. Parmeshwar Mehta
For BSFC	:	Mr. Shailendra Kr. Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-03-2020 Heard the learned Senior counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Ghoghardiha PS case no. 51 of 2019 registered for the offences punishable under Sections 409/34 of Indian Penal Code and Section 7 of E.C. Act.

The allegation is regarding the rice having been loaded on 07 trucks from the Ghoghardiha godown, however the same did not reach its destination. It is further alleged that the transporter namely Sri Manoj Kr. Singh, in connivance with the truck drivers, had misappropriated the rice when the trucks were being taken to its destination.

The learned counsel for the petitioner has submitted



that the said transporter namely Manoj Kr. Singh has already been granted anticipatory bail by this Court vide order dated 18.12.2019, passed in Cr. Misc. no. 39231 of 2019. It is further submitted that a bare perusal of the said order dated 18.12.2019 would show that no loss has been caused to the B.S.F.C. It is further submitted that the name of the petitioner has been falsely roped in the present case, however he has got no role to play and infact, earlier, in a case, when a raid was conducted in the godown of the petitioner in connection with Sakri PS case no. 73 of 2019 and some food grains belonging to the S.F.C. were recovered, the petitioner has already been granted anticipatory bail vide order dated 02.09.2019, passed in Cr. Misc. no. 55039 of 2019, hence the petitioner is having no complicity in the matter.

The learned counsel for the B.S.F.C. has opposed the prayer for bail

Having regard to the facts and circumstances of the case, considering the submissions made by the learned Senior counsel for the petitioner as also the learned counsel for the respondents and taking into account the parity of the case of the petitioner with that of the co-accused person namely Manoj Kr. Singh, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt/ production of a copy of this order,



is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur in connection with Ghoghardiha PS case no. 51 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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