

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86654 of 2019

Arising Out of PS. Case No.-815 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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DILBAHAL SINGH S/o Late Satyanarayan Singh R/o village- Didanagar,
(Ekchari), P.S.- Sanhaura, Distt.- Bhagalpur

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr.Dev Kumar Pandey, Adv.
For the Opposite Party/s :		Mr.Parmeshwar Mehta, APP
For BSFC	:	Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-01-2020 This application, for grant of anticipatory bail, arises out
of Kotwali (Jogsar) P.S. Case No. 815 of 2019, disclosing offences
under Sections 406, 409 and 420 of the Indian Penal Code.

Allegation is with respect to the occurrence of the year
between 2001-05 and it is said that the petitioner at the relevant time
was Assistant Manager, State Food Corporation, Bhagalpur, and he
defalcated an amount of Rs. 29,23,340/- by submitting forged
transportation bills.

Submission of learned counsel for the petitioner is that he
has already superannuated from the service on 31.01.2012 and
occurrence is of the year 2001-05 and after almost 14 years, the
present case has been lodged. Petitioner is ready to cooperate in
investigation.



Learned counsel appearing on behalf of the B.S.F.C. opposed the prayer of anticipatory bail of the petitioner on the ground that the case relates to defalcation of huge Government money and serious in nature.

Having heard both sides, considering the fact that petitioner has already superannuated from the service and case has been lodged after 14 years, as such, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Bhagalpur, in connection with Kotwali (Jogsar) P.S. Case No. 815 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subject to the condition that petitioner will cooperate in investigation and appear before the Investigating Officer as and when required, failing which, the prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Vinod Kumar Sinha, J)

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