

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86919 of 2019

Arising Out of PS. Case No.-297 Year-2019 Thana- SULTANGANJ District- Bhagalpur

DEEPAK PRAKASH BHARTI @ DIPAK PRAKASH BHARTI @ DIPAK BHARTI Son of Sri Ram Naresh Ram Resident of Village- Sisarah, P.S.- Rajpur, Buxor, at present posted as Assistant Godown Manager (TPDS), Sultanganj, Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s	:	Mr. Satyavrat Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned senior counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sultanganj P.S. Case No. 297 of 2019 for the offence registered under Sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

The allegation is regarding the Block Supply Officer having arrived at the godown in question where the petitioner is stated to be posted as the Assistant Godown Manager and there one Ashutosh Kumar was found having a sum of Rs. 50,000/- in his pocket apart from other documents and it is alleged that the petitioner was engaging in misappropriation of government



property.

The learned senior counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and has got no complicity in the matter inasmuch as on the very next date of filing of the FIR i.e. on 14.11.2019, the petitioner had handed over the charge of Sultanganj Godown to the A.G.M., S.F.C. Godown, Pirpainti, Bhagalpur and no misappropriation or irregularities in the stock was detected. It is further submitted that the petitioner is having a clean antecedent and being a government servant he is not likely to either tamper with the evidence or flee away from the investigation or the ensuing trial.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner coupled with the fact that no irregularity was found during the course of hand over and take over exercise which had also taken place with regard to the godown in question, on the very next date of filing of the FIR, as far as the stock statements are concerned, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his



arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Sultanganj P.S. Case No. 297 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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