

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4480 of 2020

Arising Out of PS. Case No.-192 Year-2012 Thana- JAGDISHPUR District- Bhagalpur

Shyamsundar Chaudhary, son of Late Chedan Chaudhary Resident of Village
- Ward No. 1, Naya Bazar, P.S.- Saharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State Food Corporation through its M.D. Govt. of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 17-01-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 409, 420 of the Indian Penal Code.

The prosecution case as per F.I.R is that Vijay



Kumar, owner of Jai Mai Tara Flour and Rice Mill entered into an agreement with the State Food Corporation, Supaul for preparing CMR of purchased paddy by the State Food Corporation for the procurement year 2010-11. As per agreement, the State Food Corporation supplied 1,19,202 bags of paddy to the Vijay Kumar Rai for supply of 7986.41 quintals of rice to the State Food Corporation, Supaul but neither rice was supplied nor the value of the CMR of Rs. 1,51,99,176/- was returned to the State Food Corporation, Supaul.

It is submitted by learned counsel for the petitioner that petitioner is transporter and he only transported the paddy to the mill concerned. The petitioner is not named in the F.I.R and his name subsequently sprang up during investigation. Moreover, the owner of the mill and the main accused Vijay Kumar Rai has been granted anticipatory bail by the learned Sessions Judge, Bhagalpur.

In the facts and circumstance of the case, let



the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea in connection with Jagdishpur P.S. Case No. 192 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

