

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42769 of 2021

Arising Out of PS. Case No.-99 Year-2017 Thana- MAHUA District- Vaishali

SHREEKANT KUMAR SINHA Son of Late Dr. Chandrabali Prasad Sinha
(Ex. Godown Manager, Mahua, B.S.F.C.), Resident of Village and P.O.-
Bhatgaon, P.S.- Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha
For the State	:	Mrs. Sharda Kumari
For the BSFC	:	M/s Shailendra Kr. Singh & Utkarsh Utpal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-08-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 409 of the Indian Penal
Code.

As per the prosecution case, this petitioner in spite of
repeated demands did not tender the documents and hand over
the charge.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that petitioner became ill and he was
hospitalized in hospital and hence he could not hand over the
charge. It is next submitted that there is no allegation of
misappropriation of any property entrusted to him and mere not



handing over the charge can not attract the mischief of Section 409 of the IPC.

Learned counsel appearing for the State and the BSFC opposed the prayer for anticipatory bail and submitted that in spite of repeated request the petitioner did not hand over the charge and as a result of which the BSFC was forced to break open the lock of the godown.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

BKS/-

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

