

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50175 of 2022

Arising Out of PS. Case No.-170 Year-2022 Thana- RAGHOPUR District- Supaul

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PRADEEP KUMAR SINGH S/o Santosh Singh R/o Village- Tehsil Semariya,
Bhamra, P.S.- semariya, Dist- Rewa, State- Madhya Pradesh

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Shankar, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and the learned
APP for the State through virtual mode in view of COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with
Raghopur P.S. Case No.170 of 2022 instituted under Sections 420,
409 and 34 of the Indian Penal Code.

The FIR, Raghopur P.S. Case No.170 of 2022 has been
registered by the informant, Suman Kumar Hasda who is Director
(Aagar), A.R.D.C. Raghopur, At Food Corporation of India, Saharsa,
who has stated that the petitioner was the Quality Control Manager
and according to him there were 2187 bags of wheat but only 320
bags were found and in this way 1867 bags were missing.

Taking into account the aforesaid facts, further internal
inquiry was done and accordingly on instruction, the present FIR was
lodged.



Learned counsel for the petitioner submits that he stood transferred and everything was done behind his back and in that circumstance he was implicated in this case for no fault of him. It is his further submission that the FIR was lodged on 27.04.2022 and immediately thereafter he was picked up on 30.04.2022 and he is in jail since then. It is his last submission that he do not have any criminal antecedent and being a law abiding citizen, he is ready to co-operate in the matter and will be available before the appropriate authority/court diligently, if released on bail. He is further ready to surrender his passport, if at all it is found that he is a flight risk.

Taking into account the aforesaid submission as also that he is in custody since 01.05.2022, charge-sheet stands submitted and has no criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.50,000/-(Rupees Fifty Thousand) with two sureties of the like amount each in connection with Raghapur P.S. Case No.170 of 2022 to the satisfaction of learned A.C.J.M., Birpur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates



without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(v) the petitioner shall surrender his passport, if he possesses.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /
Ajay

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