

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1388 of 2020

Arising Out of PS. Case No.-525 Year-2019 Thana- BANKA District- Banka

ARBIND KUMAR MUNNA Son of Lal Babu Malakar Resident of Ward
No.22, Golghar, P.S.- Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Managing Director Food and Civil Supply Corporation Limited, Patna
Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Md. Anisur Rahman, Advocate
For the State	:	Mr. H.A. Khan, APP
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate Mr. Utkarsha Utpal, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehend his arrest in connection with
Banka P.S. Case No.525 of 2019, registered for the offences
punishable under Sections 406 and 420 of the Indian Penal
Code.

The petitioner is said to have received 1,02,671.03
quintals CMR from different PACS and from the said received
CMR, 99,633.67 quintals CMR was lifted under different
release orders and rest 3037.36 quintals CMR has been
defalcated.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. It is further submitted that the allegations brought against the petitioner are false and concocted. A letter bearing no.12679 dated 17.10.2016 from TPDS Pramukh was issued to all concerned including D.M., Bhagalpur for immediate lifting of the stock but all failed, nothing was lifted. It is submitted that allegations of defalcation is totally vague. It is also submitted that the petitioner has written several letters to the authorities for lifting the said grain, but the authorities have not taken any steps for lifting the same. It is lastly submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioner and submitted that in the case diary all the witnesses have supported the prosecution case.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J.)

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