

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5372 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- BAHADURPUR District- Patna

ABHIMANYU KUMAR Son of Vijay Kumar Yadav R/o GENX City
Apartments, Near Sir Ganesh Dutt Colony, P.S- Rupaspur, Dist- Patna
... .. Petitioner/s

Versus

1. The State of Bihar through Bihar State Food and civil Supplies Corporation Ltd. Bihar
 2. The District Manager, B.S.F.C., Patna Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anand Kumar, Adv.
For the BSFC	:	Mr.Shailendra Kumar Singh, Adv. Mrs.Usha Kumari, Adv.
For the State	:	Mr.Parmeshwar Mehta, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 406, 409, 420, 120(B) of the IPC.

The allegation against the petitioner is that he is involved in committing irregularity and fraud in supply of food grains.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that petitioner at the point of time was posted as Assistant Godown Manager at Digha and Musallahpur Hat. On the basis of a paper supplied by the Authorities, petitioner has released the said



wheat and rice in favour of the P.D.S. person and there is no specific power to the petitioner to verify that the P.D.S. person died during the pendency of the Statutory Issue Order (S.I.O.). It is further submitted that it has come in the report of the District Magistrate bearing report no.779 dated 12.04.2022 that the Transporting agent is responsible in the alleged embezzlement.

Learned APP for the State as well as learned counsel for the BSFC opposed the prayer for bail but has not denied the fact that in the report, responsibility in the entire episode is also leveled against the Transporting agent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bahadurpur P.S. Case No.163/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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