

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22678 of 2023**

Arising Out of PS. Case No.-171 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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SHAHIL GOYAL @ SAHIL GOYAL, S/O SURESH KUMAR GOYAL
Resident of Village- A1/102, Ground Floor Near hari Mandir P.S.- Janakpuri,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within a

period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection

with Bettiah (T) P.S. Case No. 171 of 2022 dated 08.03.2022

registered for the offences punishable u/ss 420 and 379 of the

Indian Penal Code.

As per the prosecution case, the informant was posted in

North Bihar Power Distribution Company Limited, Bettiah at the

post of Store Assistant. He stated that M/s Goyal Iron & Steel

Traders K -173/6B, Lakkar Mandi, Shamson Road, Nangal Raya,



New Delhi has got contract for uploading 53.366 MT Aluminium scrap wire from North Bihar Power Distribution Company Limited and regarding this North Bihar Power Distribution Company Limited issues release order for scrap wire of 55.366 MT in favour of M/S Goyal Iron & Steels Traders. Accordingly, the agency uploaded the scrap wire on 12 trucks from 18.02.2021 to 23.02.2021 and completed its contract. It is further alleged that again Chief Executive Engineer (store & sell) issues release order for uploading the scrap wire of 103.217 MT and accordingly the same has been loaded from dated 23.02.2021 to 26.02.2021 on 15 trucks and accordingly, altogether 158.49 MT scrap wire has been taken away by the agency by 27 trucks and weight was done on Prakash Dharm Kata Bajar Samiti Gate Bettiah. It is further alleged that Chief Executive Engineer (store & sell) disclosed that the agency agent managed Prakash Dharm Kata and got the weight of scrap wire reduced by using device which were disclosed in Rosera after apprehending one truck and accordingly 53.07 MT scrap wire has been found to be low in weight, for which company has got loss of worth of Rs. 59,43,840/- Accordingly, the agency agent committed theft of 53.07 MT scrap wire fraudulently.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that there is delay of 13 months in lodging



the F.I.R. and there is no explanation for the same. He has further submitted that the petitioner is a representative of the M/S Goyal Iron & Steel Traders and there is no role in uploading the Aluminum scrap wire. It has been further submitted that the allegation of theft appears to be super addition. The petitioner has got clean antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Bettiah (T) P.S. Case No. 171 of 2022, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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