

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20358 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- SIWAN CITY District- Siwan

RAJIV MASIH @ RAJIV MASHIH S/O REHMAT MASIH RESIDENT OF
MOHALLA- G20 VIJAY VIHAR PHASE2, ROHINI SOM BAZAR ROAD,
RITAHILA, P.S.- VIJAY VIHAR, DISTRICT- WEST DELHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 379 and 420 of the Indian Penal Code.

There is allegation against the petitioner of deceiving the North Bihar Power Distribution Company Ltd. by fixing a device in the machine of Dharm Kanta due to which the company incurred heavy loss of rupees twenty lakh and fourty thousand.

It is submitted on behalf of the petitioner that the alleged occurrence took place from date 05.02.2021 to 10.02.2021 whereas the F.I.R. was lodged after the lapse of 12 months and there is no plausible explanation for the delay



caused in lodging the F.I.R. He further submitted that the entire process of weighing was conducted in the presence of high officials and after weighing, this petitioner used to receive gate pass and dispatch the truck loaded with scraps and hence he cannot be held responsible for the same.

Learned counsel for the State submitted that there is specific and direct allegation against this petitioner that he along with other accused persons fixed a device in the Dharma Kanta machine due to which the company incurred heavy loss. He further submitted that the petitioner has got two criminal cases of the same nature.

Considering the fact that there is direct and specific allegation against the petitioner and has got two criminal cases of the same nature, the prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

Alok Verma/-

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