

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31500 of 2023

Arising Out of PS. Case No.-1322 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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CHANDRA BHUSHAN PRASAD S/O SRI YAMUNA PRASAD Resident of
Village- Kebai, P.S.- Noorsarai, District-Nalanda

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANIL KUMAR S/O LATE DASI SINGH Resident of Village-
Sargao, District- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ganesh Prasad Singh
For the Opposite Party/s :	Mr. Narendra Kumar Singh
	Mr. Udai Shankar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 16-10-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No.1322 of 2017, registered for the offence
punishable under Sections 406 of the Indian Penal Code.

3. Allegedly, the complainant deposited 75 qunital paddy
in a FACS (Pacs) of which the petitioner is the Chairman. It is
alleged that the petitioner did not paid the money of the paddy
to the complainant. The acknowledgment receipt was removed
from the computer and it was found that the payment has been
stopped.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He



has been falsely implicated in this case. The complainant has not filed any paper for the receiving of the alleged paddy on the procurement center of the Pacs. He further submits that a complaint was lodged by the complainant before District Public Grievance Redressal Officer, Nalanda, in which the complainant did not appeared and an *ex-parte* order was passed. (Annexure-2). Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail. Learned counsel for the complainant produced a letter from which it is clear that the complainant had deposited 75 quintal of paddy in the Pacs of the petitioner.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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