

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51990 of 2022

Arising Out of PS. Case No.-243 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Shyam Sundar Sharma S/O Late Mohan Lal Sharma R/O Village- Shahpur,
P.S.- Balrampur, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, Bihar State Food And Civil Supplies Corporation,
Katihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-03-2023 Heard learned counsel for the petitioner, learned
counsel for the B.S.F.C. and learned A.P.P. for the State.

The petitioner apprehends his arrest in Katihar (S)
P.S. Case No. 243 of 2022 registered for the offences
punishable under Sections 467, 468, 471 and 420 of the Indian
Penal Code pending in the Court of learned Chief Judicial
Magistrate, Katihar.

The prosecution case in short is that the petitioner
was working as transporting agent under SFC during the year
2018-2021. It has been alleged that at the time of agreement
this petitioner furnished document regarding bank guarantee,
which were found false in course of passing of bill.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely



implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has submitted bank guarantee as annexed in Annexure-2. He submits that there is no loss to the Corporation. The petitioner has got no criminal antecedent as mentioned in para 3 of the bail application.

Learned APP for the State as well as learned counsel for the B.S.F.C. oppose prayer for bail and submits that the petitioner has committed forgery with a valuable security for the purpose of cheating and the same was supported by the informant in his reinstatement. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that the petitioner has filed a false bank guarantee, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Katihar (S) P.S. Case No. 243 of 2022.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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