

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61334 of 2023**

Arising Out of PS. Case No.-170 Year-2022 Thana- RAGHOPUR District- Supaul

Anmol Kumar Son Of Krishnadev Mehta Resident Of Village- Dumari,
Police Station- Karjan, District- Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar
2. F.C.I., D.O. Saharsha (FOOD Corporation Of India) Through A.R.D.C.
Raghopur, District- Supaul. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Naresh Kumar Mehta, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP
For FCI	:	Mr. Parbhakar Tekriwal, Advocate

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

ORAL ORDER

2 12-09-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned counsel for FCI as well as learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Raghopur P.S. Case No. 170 of 2022 dated 27.04.2022 registered for the offences punishable u/ss 420 and 409 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, a joint inspection was held at the godown situated at F.C.I., ARDC, Raghopur on



19.02.2022 by the Divisional Manager, F.C.I., Saharsa and other officials and upon inspection only 320 bags of wheat food grains were found instead of total stock mentioned as 2187 bags. It is alleged that the Manager (Quality Control), F.C.I., ARDC, Raghapur, namely, Pradeep Kumar Singh, who was In-Charge of the said godown, had embezzled the food grains amounting to a sum of Rs. 1,12,32,490/-, in connivance with other officials posted at the said place including the petitioner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is a very junior employee who was posted as Assistant-II class (Dipo), F.C.I., ARDC, Raghapur. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused, Pradeep Kumar Singh who was the In-Charge of the said godown has already been granted bail by the co-ordinate bench of this court *vide* order dated 09.12.2022 passed in Cr. Misc. No. 50175 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.05.2023.

6. Learned counsel for FCI as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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, Birpur, Supaul in connection with Raghapur P.S. Case No. 170 of 2022 , with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

