

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58445 of 2022

Arising Out of PS. Case No.-17 Year-2015 Thana- KUNDWACHAINPUR District- East
Champaran

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KAMLESH SINGH Son of Late Shiv Bahal Singh Resident of village -
Sinha, P.S. - Krishnagarh, District - Bhojpur, At Present residing at Shiv
Niketan, North Patel Nagar, P.S.- Patliputra, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANAGING DIRECTOR BIHAR STATE FOOD CORPORATION LTD.
BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 23-05-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State. No one appears on behalf of the Bihar State

Food Corporation Limited.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 409,
420 and 120B of the Indian Penal Code.

Mr. Aditya Pandey, learned Advocate submits that
petitioner is a person with clean antecedent and is the member
of the Bihar Administrative Service.

The informant alleges that Sheela Devi being
proprietor of Jagdamba Rice Mill defalcated an amount of
Rs.4,59,63,124.94/- by not depositing money relating to
21445.4780 quintals of CMR.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that charge-sheet has already been submitted against Sheela Devi and thereafter the petitioner came to be dragged in the present case. It is next submitted that a certificate case has also been instituted against Sheela Devi which she is contesting. It is also submitted that Sheela Devi has been granted anticipatory bail by a Coordinate Bench of this Court by order dated 18.08.2015 in Cr. Misc. No. 32083 of 2015. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kundwa Chainpur P.S. Case No. 17 of 2015, G.R. No. 531 of 2015,



subject to the conditions as laid down under Section 438 (2) of
the Cr.P.C.

(Satyavrat Verma, J)

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