

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60725 of 2022**

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

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RAMBABU CHAUDHARY Son of Jiyalal Chaudhary R/V- Hasanpur, P.S-
Kundwa Chainpur, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar

2. The District Manager, Bihar State Food Corporation, Motihari

... .. 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.

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.

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 being the husband of Sheela Devi has been implicated. It is further submitted that police have already filed charge-sheet against Sheela Devi and thereafter the petitioner was dragged in the case when he is not named in the FIR. It is next submitted that a certificate case has been initiated against Sheela Devi and she is contesting the same. It is thus submitted that when a certificate case has been filed against Sheela Devi which she is contesting the same where was the occasion for instituting the present FIR. Learned counsel further submits 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.

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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