

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63179 of 2022**

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

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ASHOK KUMAR SINGH S/O Late Ramsagar Singh R/O Village- Jataliya,
P.S- Kundwa Chainpur, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

6 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.

Learned counsel for the petitioner 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
has been falsely implicated in the present case being Clerk of
Jagdamba Rice Mill of which Sheela Devi was the proprietor. It is
further submitted that petitioner was not named in the FIR and



subsequently his name was dragged in the present case based on suspicion. It is next submitted that charge-sheet has been submitted against Sheela Devi and a certificate case has also been instituted which Sheela Devi is contesting. It is also submitted that the thrust of the allegation is against Sheela Devi and she 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 Trial No. 66 of 2022 arising out of 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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