

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72688 of 2022

Arising Out of PS. Case No.-35 Year-2017 Thana- MUFFASIL District- West Champaran

Pappu Sah @ Pappu Kumar Kanawjiya S/o Late Manu Sah Ex transport Contractor, Bihar State Food Corporation Limited R/o- Kila mohalla, Behind the house of Sita Rajgadhiya, P.S.- Bettiah (Town), District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned counsel for the State.

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

As per the prosecution case, petitioner in connivance with other co-accused persons misappropriated the government rice.

It is submitted that petitioner is Ex-transport Contractor and has been falsely implicated in this only on suspicion. The police after investigation submitted final form bearing Final Form No. 351 of 2018 dated 14.09.2018 and found the case to be false against petitioner, but the learned court below differing with the same took cognizance against the



petitioner and others under Sections 406, 403, 420, 120B, 506, 504/34 of the IPC. Similarly situated co-accused have been granted bail by this Court.

However, counsel for informant vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedent and he suppressed this fact in para 3 of the petition. Moreover, proceeding of 82 has already been initiated.

In reply counsel for petitioner by filing supplementary affidavit submits that petitioner has got one criminal antecedent and in that case he is on bail, but till date petitioner has not been declared absconder.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No. 35 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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