

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47254 of 2021

Arising Out of PS. Case No.-31 Year-2018 Thana- SARE District- Nalanda

RAJEEV RAJ S/o INDRADEV PRASAD R/o MOHALLA-BICHLI GUFA
PAR, P.S-LAHERI, BIHARSHARIF, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bihar State Food Corporation Limited, R. Block Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chhaya Kirti, Advocate
For the State	:	Mr. Parmeshwar Mehta, A.P.P.
For the O.P. No. 2	:	Mr. Shailendra Kumar Singh, SC

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 29-03-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the opposite party no. 2.

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

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the present case by the informant. It is further
submitted that in sum and substance, the allegation as alleged in
the FIR in accordance with stock register CMR of rice ought to
have been 9210.86 quintals but then the said CMR of rice was
not available and thus it is alleged that the accused persons



including the petitioner were involved in misappropriation of the grain for monetary consideration. Learned counsel next submits that petitioner was an Executive Assistant and his role was only to maintain the register. It is also submitted that the responsibility of ensuring that there is no misappropriation of any food grains was with the Assistant Godown Manager of the godown. It is submitted that petitioner will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State and learned counsel appearing on behalf of the BSFC vehemently opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel for the petitioner that in the FIR, there is no specific allegation connecting the petitioner with the offence rather the allegation hinges around suspicion.

5. 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.25,000/- (Rupees Twenty-five 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 Sare P.S.
Case No. 31 of 2018, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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