

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76722 of 2023**

Arising Out of PS. Case No.-122 Year-2023 Thana- SAHIYARA District- Sitamarhi

ANIL YADAV SON OF BELA RAY RESIDENT OF VILLAGE- NARHA  
JAGDAR, P.S.- SAHIYARA, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

|                            |                                 |
|----------------------------|---------------------------------|
| For the Petitioner/s :     | Mr. Alok Kumar Sinha, Adv       |
| For the Opposite Party/s : | Mr. Dilip Kumar No.1, APP       |
| For the BSFC :             | Mr. Shailendra Kumar Singh, Adv |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

6      08-05-2024                      Heard Mr. Alok Kumar Sinha, learned counsel for the petitioner, Mr. Dilip Kumar No.1, learned APP for the State as well as Mr. Shailendra Kumar Singh, learned counsel appearing on behalf of the B.S.F.C.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 420, 409 and 34 of the Indian Penal Code.

3. As per the FIR, the godown of the petitioner was procured to keep 2135 quintal of paddy whose price with interest was Rs.45,83,726/-. The deputed officers verified the said paddy and same was found only 262.19 quintal which was less than the paddy which was kept in the godown. It is alleged that the petitioner and co-accused Priyanka Kumari defalcated



the said supplies.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. They has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner is a PAC President and he was on leave during the occurrence. He submits that the present FIR was lodged on 16.07.2023 and co-accused Priyanka Kumari filed an FIR in Sahiyara P.S. Case No. 82 of 2023 on 14.05.2023 against unknown persons due to which the godown caught fire and food supplies were burnt. The petitioner is ready to deposit the amount of Rs. 45,83,726/- in the concerned Bank in ten installments. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the BSFC opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the petitioner is ready to deposit Rs.45,83,726/- in the concerned Bank in 10 installments, let the above named petitioners, be released on *provisional* bail for a period of one year, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Sahiyara P.S. Case No.122 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the *provisional* bail of the petitioner shall be confirmed by the learned Court below itself after satisfying that the petitioner has deposited Rs.45,83,726/- in the concerned Bank.

8. Accordingly, this application is disposed of.

**(Anjani Kumar Sharan, J)**

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