

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81609 of 2023

Arising Out of PS. Case No.-160 Year-2020 Thana- SAHARSA SADAR District- Saharsa

Keshav Prasad @ Keshav Prasad Singh Son Of Late Ramroop Singh Resident
Of Village- Lakhichak Po- Dharampur, Ps- Noorsarai Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Upadhyay, Adv.
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP
For the BSFC	:	Mr. Shailendra Kumar Singh, Adv.
		Mr. Utkarsh Bhushan, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel for the B.S.F.C..

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 409, 420 and 34 of the Indian Penal Code.

3. On a starred question by a member of the Legislative Assembly with respect to suspicion over recycling of C.M.R. and embezzling government money in the garb of procuring paddy and then giving the C.M.R. to the State Food Corporation, an audit was conducted in which six issues/irregularities were found which necessitated investigation. On the basis of the aforesaid report made by the District Manager, State Food Corporation, Saharsa, the subject FIR has been registered.



4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The Petitioner was on the post of Sub-Inspector in Bihar Police but after his retirement, he joined on the post of Assistant Manager (on contract) in Madhepura State Food Corporation. Similarly situated co-accused, persons have been enlarged on bail by different Bench of this Court *vide* order dated 28.02.2022 passed in Cr. Misc. No. 15150 of 20221 and *vide* order dated 04.03.2022 passed in Cr. Misc. No. 15764 of 2021. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, considering the argument of the parties and similarly situated co-accused have been granted bail, let the above named petitioner, be released on bail, 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 Saharsa P.S. Case No. 160 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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