

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4503 of 2025

Arising Out of PS. Case No.-14 Year-2015 Thana- PURNEA SADAR District- Purnia

Binod Kumar Sah Son of Paras Sah Resident of Chandan Nagar, Gulabbagh,
P.S.- Sadar City, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shashi Bhushan Kumar, Advocate Ms. Arti Kumari, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2025 Heard Mr. Shashi Bhushan Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Pramod Kumar
Pandey, learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 406, 407,
409, 420, 467, 468, 471 and 120B of the Indian Penal Code and
Section 7 of the Essential Commodities Act.

3. According to prosecution case, on the directions of
the District Magistrate, Purnea, godowns of Bihar State Food
Corporation were inspected by the S.D.M. and other officers
and it came to light that between 29.12.2014 to 30.12.2014, all
the accused persons named in the F.I.R., including this
petitioner, lifted 9720 bags of rice from Shishwani godown and



transported the same at different godowns but the aforesaid bags of rice did not reach the destination and allegedly 9180 bags of rice were misappropriated by all the accused persons.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. Petitioner is not named in the F.I.R. Name of petitioner transpired in this case during course of investigation on the fact that petitioner is owner of trucks which were also allegedly involved in the transportation of defalcated rice. As a matter of fact, the aforesaid trucks bearing Registration Nos. WB73A4181 and UP25Q9091 were already handed over to co-accused Lal Babu Jaiswal under a lease agreement since 18.12.2014 and it was co-accused Lal Babu Jaiswal who was responsible for the operations of the trucks in question. It is further submitted that co-accused Lal Babu Jaiswal has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 15.10.2015 passed in *Cr. Misc. No. 16341 of 2015*. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned C.J.M., Purnea in connection with Purnea Sadar P.S. Case No. 14 of 2015, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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