

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20459 of 2025**

Arising Out of PS. Case No.-11 Year-2017 Thana- NOKHA District- Rohtas

Akhilesh Kumar, Son of Suresh Singh, Resident of Mohalla-Kuraich Mahavir  
Asthan, Ward No.- 6, P.S.- Sasaram, Dist.-Rohtas.

... .. Petitioner

Versus

1. The State of Bihar
2. The Assistant Manager, Bihar State Food and Civil Supplies Corporation Ltd., Kargahar Extension Godown Nokha Sasaram.

... .. Opposite Parties

**Appearance :**

|                    |   |                                                                                                                                     |
|--------------------|---|-------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner | : | Mr. N.K. Agrawal, Senior Advocate<br>Mr. Prithivi Raj Singh, Advocate<br>Mr. Kumar Rajdeep, Advocate<br>Ms. Diksha Kumari, Advocate |
| For the BSFC       | : | Mr. Shailendra Kumar Singh, Advocate<br>Ms. Shilpi Singh, Advocate                                                                  |
| For the Informant  | : | Mr. Pankaj Kumar Jha, Advocate<br>Rajesh Kumar Chaubey, Advocate                                                                    |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      01-09-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection  
with Nokha P.S. Case No.11 of 2017 registered for the  
offences punishable under Sections 409 and 420 of the Indian  
Penal Code (in short 'IPC').

3. The accused/petitioner is named in the FIR and is  
in custody since 21.01.2025.

4. Allegation against the petitioner is to commit



cheating by misappropriating 785 quintals of Customed Milled Rice (C.M.R.) from the State Food Corporation Godown at Nokha, Rohtas.

5. Mr. N.K. Agrawal, learned counsel appearing for the petitioner submitted that the petitioner was co-worker with informant and out of official issues and differences, he was falsely implicated with present case, without having any incriminating materials. It is pointed out that the informant gathered suspicion that under his false signature, 785 quintals of C.M.R. was taken away from godown by petitioner and in furtherance of said suspicion, nothing incriminating appears during investigation as to connect petitioner *prima facie* with crime in question. It is submitted that the forged signature in issue was not verified by any scientific method including forensic examination as to ascertain the allegation *prima facie* against the petitioner and with this allegation only, the petitioner is in custody for about eight months. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with



the evidence. It is submitted that petitioner found involved in three more criminal cases of similar nature, where he is on bail. In this context, it is submitted by Mr. Agrawal that in Sasaram P.S.Case No.344 of 2018, after investigation the police submitted final form, where similar allegation was raised against the petitioner.

6. Learned APP duly assisted by Mr. Shailendra Kumar Singh, learned counsel appearing for the BSFC while opposing the prayer for bail submitted that the petitioner was actively involved in crime in question *qua* defalcation of 785 quintals of CMR. However, he could not disputed the aforesaid factual submissions as submitted by learned senior counsel appearing for the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* save and except suspicion as raised by informant nothing incriminating appears during investigation to suggest *qua* allegation of forged signature of the informant, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 21.01.2025, accordingly, the petitioner, above-



named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rohtas at Sasaram in connection with Nokha P.S. Case No.11 of 2017 subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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