

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17011 of 2026

Arising Out of PS. Case No.-279 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Shashikant Singh @ Shashikant Prasad @ Sharma @ Shashikant Prasad
Sharma S/o Late Ram Prakash Singh R/o Village - Saidi, P.S - Katrisarai,
District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food Corporation (B.S.F.C), Nalanda at Bihar Sharif Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-04-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the BSFC.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409/34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and was Chairman of Darveshpura PACS. It is next submitted that from perusal of the FIR, it would manifest that the same was instituted on behalf of D.M., Nalanda in terms of Letter No.4076 dated 28.06.2017 wherein it was alleged that the State Food Corporation's



Godown, Nalanda was inspected and only 59279.50 quintal of C.M.R. was found instead of 76203.71 quintals as such, 16768.50 quintal of rice was found missing and the rice which was found in the godown was also of compromised quality, thus, it was directed to lodge an FIR against Ranjit Kumar, Godown Superintendent-cum-A.G.M. and Abhay Kumar, Contractual Executive Assistant.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name transpired during the course of investigation in the year 2019 but then the petitioner was not aware that he also came to be implicated in the instant case during course of investigation as he never received any summon nor police ever came to his place. It is next submitted that recently the police knocked the door of the petitioner but then petitioner was not present at his house and when his family members enquired that as to why the force has come to the house, when it was disclosed that name of the petitioner during the course of investigation transpired in the instant case. It is further submitted that during the course of investigation, it has come that accused persons including the petitioner provided the number of non-existent vehicle by which rice was carried.



5. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that no suspicion even was raised against the petitioner except the named accused persons. It is also submitted that similarly situated co-accused have been granted the privilege of anticipatory bail by coordinate Bench of this Court in Cr. Misc. No.44788/2017 by an order dated 03.11.2017, further Ranjit Prasad also had moved before this Court seeking anticipatory bail by filing Cr. Misc. No.17843/2026 and the same came to be allowed by a learned Coordinate Bench by an order dated 03.04.2026. It is further submitted that if privilege of anticipatory bail is granted, the petitioner may not abscond rather will cooperate in the investigation to prove his innocence. It is also submitted that more than 15 co-accused similarly situated like petitioner have been granted the privilege of anticipatory bail by different coordinate Bench of this Court.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the BSFC opposes the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that more than 15 co-accused have been granted the privilege of anticipatory bail by different coordinate Bench



of this Court.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender 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 trial court where the case is pending/successor court in connection with Laheri P.S. Case No.279/2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Further, one of the bailors of the petitioner shall be his cousin brother, namely, Sanjeev Kumar.

9. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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