

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87560 of 2025

Arising Out of PS. Case No.-111 Year-2011 Thana- MANIHARI District- Katihar

SK. Irshad Ali @ SK. Irsad Ali @ Irshad Ali S/o- Late Mahmood Ali @
Mahood Ali @ SK Mahsood Ali R/v- Manihari Ps- Manihari Dist- Katihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Singh, Advocate Mr. Vinod Shanker Modi, Advocate Mr. Manoj Kumar Singh, Advocate
For the State	:	None

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 06-04-2026 No-one appears for the State

2. Heard learned Counsel for the petitioner.

3. The petitioner apprehends his arrest in connection with Manihari Police Station Case No. 111 of 2011 (GR Case No. 2210/2011), registered for the offences punishable under Sections 406, 420 and 120(B) of the Indian Penal Code.

4. As per the written report submitted by the Programme Officer, Manihari, Katihar, the petitioner, being a dealer of foodgrains, was given 900 quintals of foodgrains for distribution under the Swarna Jayanti Gram Swarojgar Yojna and the National Food for Work Programme. It is stated that the petitioner distributed only 584.91 quintals of foodgrains, and the remaining quantity of 315.09 quintals was not distributed. Accordingly, an FIR was lodged against the petitioner on 12.08.2011.

5. Mr. Amarnath Singh, learned counsel for the



petitioner argued that there was no intention on part of the petitioner to misappropriate the amount. The petitioner, for resolution of the dispute between him and the State authority, filed a writ petition bearing C.W.J.C. No. 17528 of 2011 for quashing the demand letter dated 04.07.2011. However, Co-ordinate of Bench of this Hon'ble Court, vide its order dated 17.11.2011 passed in the aforesaid writ application, directed the petitioner to refund Rs. 3,95,438/-. Due to unavoidable circumstances, the petitioner could not deposit the aforesaid amount in 2011 and also did not receive the summons issued by the Court on 21.06.2011. The petitioner came to know about the pendency of the criminal case in July 2025, when a non-bailable warrant of arrest was issued against him. A certificate case was also lodged by the District Authority against the petitioner. However, the petitioner ultimately deposited Rs. 5,54,702/- with interest in the SEGF account bearing Account No. 61310273370 on 26.02.2026, and a letter in this regard has been issued by the Programme Officer, Manihari.

6. Considering the submissions made by learned counsel for the petitioner and the letter of the Programme Officer confirming the deposit of a sum of Rs. 5,54,702/- by the petitioner, I am inclined to grant the petitioner the privilege of anticipatory bail.



7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Judicial Magistrate-1st Class, Katihar, in connection with Manihari Police Station Case No. 111 of 2011 (GR Case No. 2210/2011), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure as well as the following condition:-

(i) The petitioner shall co-operate in the trial and shall remain present before the trial court on each and every date fixed by the court and in his absence on two consecutive dates without sufficient reason his bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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