

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6788 of 2026

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

Amaresh Upadhyaya S/O Gopalnandan Singh R/O Village- Gonawan, P.S-
Harnaut, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjiv Kumar
For the Opposite Party/s	:	Mr.Parmeshwar Mehta
For the B.S.F.C.	:	Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 30-04-2026 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the B.S.F.C.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 409 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and as per prosecution case the allegation is that on verification 59,279.50 quintals CMR was found in place of 76,203.50 quintals of rice as such 16,768.50 quintals of rice was found missing and even the quality of the rice was bad, thus the



District Magistrate was directed to lodge an FIR against Ranjit Kumar, Godown Superintendent and one Abhay Kumar, Contractual Executive Assistant.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the Chairman of Gonawan PACS. It is further submitted that petitioner is not named in the FIR and his name transpired during the course of investigation after 2020. It is also submitted that petitioner was not even aware that he has been implicated in the instant case. It is also submitted that from perusal of the allegations as alleged in the FIR, it would manifest that godown of SFC was checked when it was found that 16,768.50 quintals of rice was found missing with which the petitioner being Chairman of the PACS had no concern. It is further submitted that Ranbir Kumar Sinha had approached this Court seeking anticipatory bail by filing Cr. Misc. No.45468 of 2023 and the same came to be allowed by an order dated 03.04.2024 passed by a learned Coordinate Bench. It is also submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his



innocence.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the B.S.F.C. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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 of 2017, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when



required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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