

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14052 of 2013

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1. Rajendra Gope S/O Sri Ramchandra Gope R/O Vill + P.O.- Koklakchak, P.S.- Noorsarai, Dist.- Nalanda
 2. Rampravesh Sharma S/O Sri Rambriksha Sharma R/O Vill.- Jagmaalbigha, P.O.- Katouna, P.S.- Khusrupur, Dist.- Patna
 3. Ramesh Kumar Shukla S/O Sri Kamleshwari Pd. Shukla R/O Vill.- Salalpur, P.O.- Mubrakpur, Vaya Barh, Dist.- Patna
 4. Vishnu Dayal Rai S/O Sri Ramchandra Rai R/O Vill.- Savarchak, P.O.- Shorampur, P.S.- Naubatpur, District- Patna
 5. Gopal Pd. S/O Late Mohan Ram R/O Vill.+ P.O.- Gilani, Vaya- Asthawan, Dist.- Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

4 30-05-2013

None appears for the petitioners. Same was the position even yesterday as such matters was passed over with observation that if none appears even today, the matter shall proceed on merit.

2. Petitioners who are employees in the Bihar Sharif Branch of Bihar State Ware Housing Corporation has filed this petition as they are apprehending their arrest in connection with Laheri P.S. Case No. 164 of 2011 for the offences under Sections 406, 409 and 120B of the Penal Code.

3. Perusal of the first information report of the aforesaid case indicates that thereunder allegation of defalcation of food grains i.e. rice and wheat weighing 21658.70552 quintals and 5838.71704 quintals valued between 3-4 crores has been made against Awdhesh Singh, Ex-Assistant In-charge of Bihar State



Ware Housing Corporation, Bihar Sharif Branch. Petitioners have not been named in the first information report. They are apprehending their arrest as from the subsequent report submitted by the informant bearing no. 111 dated 01.08.2011 (Annexure-2) it appears that they have also assisted Awdhesh Singh in defalcating the food grain. The investigation in the present case is still pending.

4. Petitioners having not been named in the first information report and said to be implicated by a subsequent report, are directed to surrender in the court below within four weeks from the date of receipt and/or production of a copy of this order and thereafter be admitted to the privilege of bail on furnishing bail bonds of Rs. 10.000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bihar Sharif at Nalanda in connection with Laheri P.S. Case No. 164 of 2011, subject to condition as laid down under Section 438(2) Cr.P.C.

(V.N. Sinha, J)

Md. Ibrarul/-