

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16767 of 2026

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

Rajballabh Prasad @ Rajballabh Yadav Son of Yadunandan Prasad R/o -
Village - Juri, P.S. - Chandi, Dist. - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Bihar State Food Corporation(B.S.F.C), Nalanda, Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP
For the BSFC : Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-08-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the BSFC Mr. Shailendra Kumar Singh.

2. The petitioner apprehends his arrest in a case registered for the offence 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 is Chairman of Kachhariya Panchayat 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 quintals of C.M.R. was found instead of 76203.71



quintals, as such, 16768.50 quintals of C.M.R. 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 Shashikant Singh and Uday Kumar Singh had approached this Court seeking anticipatory bail by filing Cr. Misc. No.17011 of 2026 and Cr. Misc. No.18031 of 2026 and the same came to be allowed by an order dated 08.04.2026 and 28.08.2026. It is further submitted that case of the petitioner is similar to the case of Shashikant Singh and Uday Kumar Singh. It is next 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. 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 case of the petitioner is similar to the case of Shashikant Singh and Uday Kumar Singh.

6. After hearing the learned counsel for the parties and



taking into consideration the order dated 08.04.2026 in Cr. Misc. No. 17011 of 2026 and the order dated 28.08.2026 in Cr. Misc. No.18031 of 2026, 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.

7. Further, one of the bailors of the petitioner shall be his brother-in-law, namely, Vikash Kumar.

8. 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, after recording reasons.

(Satyavrat Verma, J)

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