

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31256 of 2013

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Raushan Kumar Thakur, Son of Ramesh Thakur, Resident of Village Chainpur, P.S. Bangaon, District Saharsa.			Petitioner.
Versus			
The State of Bihar.			 Opposite Party.

WITH

Criminal Miscellaneous No.33912 of 2013

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Md. Aslam, S/o Late Azijur Rahman, Resident of Ward No. 10, Bhupendra Chowk, Madhepura, P.S+ District- Madhepura.	...		Petitioner.
Versus			
The State of Bihar.			 Opposite Party.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

03 24-12-2013 The two petitioners are accused in Simri Bakhtiyarpur P.S. Case No.113/2013 for the offences registered under Sections- 406, 409, 420/34 of the Indian Penal Code.

Petitioner, Raushan Kumar Thakur is the Assistant in the Bihar State Food & Civil Supplies Corporation at the godown at Simri Bakhtiyarpur and petitioner, Md. Aslam, now retired, was the Block Agriculture Officer. The allegation against them is that for the paddy year 2011-12 they have misappropriated stocks of paddy which was made to be stored and given for milling into rice on behalf of the State Government.

Learned counsel for the petitioners submits that it is not a case of defalcation but it was a case of faulty accounting. Paddy was kept elsewhere because of shortage of space.



Be that as it may, it is for the petitioners to satisfy Investigating Officer that it is a case of mere accounting and not defalcation. In such a situation, till the charge-sheet is submitted, in the event of arrest or surrender within four weeks from today, the petitioners, namely, Raushan Kumar and Md. Aslam, shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Simri Bakhtiyarpur P.S. Case No.113/2013, subject to all conditions as laid down in Section-438(2) of the Criminal Procedure Code.

(Navaniti Prasad Singh, J.)

Trivedi/-