

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48645 of 2015

Arising Out of PS.Case No. -89 Year- 2012 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Ravi Rai @ Ravi Shankar Rai Son of late Paras Nath Rai Resident of
 Mohalla- Central Jai road ,Charitra Van P.s Buxar town District Buxar

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 02-11-2015 Heard learned counsel for the petitioner as well as
 learned APP for the State.

2000 Quintal of paddy was entrusted to Bharti Mini Rice Mill by the FCI officials under an agreement for supply of rice in its proportionate way. The agreement was entered into by one Manoj Kumar claiming himself to be proprietor of Bharti Mini Rice Mill. When the rice was not supplied, establishment was searched out and during course thereof, it has been traced out that there was no such establishment and that being so, an allegation has been attributed with regard to misappropriation of aforesaid 2000 Quintal paddy. During course of investigation, as is evident from the order impugned, petitioner, proprietor of Annapurna Rice and Flour Mill has been named on the allegation that from the Register, it is apparent that he had received 2000

Quintal of paddy in the name of Bharti Mini Rice Mill which has purposely been introduced with mala fide intention just to put safeguard upon the interest of FCI officials in collusion with the Investigating Officer.

It has been submitted that before entering into an agreement, the FCI officials should have located the establishment as well as must have identified the status of one Manoj Kumar because of the fact that had there been some sort of controversy with regard to status of Manoj Kumar as well as Bharti Mini Rice Mill, then in that event, the agreement, part and parcel of the FIR would not have been executed.

It has also been submitted that petitioner happens to be under custody since 13.08.2015. That being so, petitioner, Ravi Rai @ Ravi Shankar Rai is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Buxar (I) PS case No. 89/2012.

(Aditya Kumar Trivedi, J)

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