

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32715 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -SONEPUR District- SARAN

1. Md. Aftab Alam S/o S.M. Alamgir Balkhi R/o Mohalla New Millat Colony, P.S. Phulwari Shariff, District Patna, the then Block Co-operative Officer-cum-Incharge Paddy Purchase Centre, Police Station Sonapur, District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation Limited, Chapra through its District Manager.
3. Nirmal Kumar Rai S/o Late Gajbadan Rai Resident of Village and Post Office Bagar, Police Station Sikarhatta, District Bhojpur, the then District Manager, Bihar State Food & Civil Supplies Corporation, Chapra.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhuti Nr. Pandey, Sr. Advocate
For the Opposite Party/s : Mr. Shaillendra Kumar Singh, Advocate.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-08-2015 Heard learned counsel for the petitioner and learned counsel for the B.S.F.C.

The petitioner being Block Cooperative Officer-cum-Purchase Centre In-charge of Sonapur purchase Centre is apprehending his arrest in a case registered under section 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner had taken charge for purchase of 8567.80 quintal of paddy from PACS but out of the said purchase only 8159.67 quintal of paddy was procured and rest 406.53 quintals of paddy were remained in Nayagaon PACS as there was shortage of space in his go-down. Learned counsel further submits that he repeatedly informed the concerned PACS to make payment of the amount of the shortage paddy but the amount has not been

paid and the entire claim has been shifted on the shoulder of the petitioner. Learned counsel for the petitioner submits that only because of shortage of 406.53 quintal of paddy the petitioner is being prosecuted and the authority concerned has directed for filing of the first information report.

Learned counsel for the petitioner submits that petitioner is ready to deposit 30% of the amount out of the total amount as stated in the first information report.

In view of the offer made by the learned counsel for the petitioner, let the above named petitioner in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate, Saran at Chapra in Sonepur P.S. Case No. 122 of 2015, subject to the conditions laid down under section 438(2) Cr.P.C.

(Anjana Mishra, J)

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