

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29793 of 2015

Arising out of PS.Case No. -39 Year- 2015 Thana -BAUNSI District- BANKA

1. Mritunjay Kumar Jha.
2. Saurabh Kumar Chaudhary.

.... Petitioners

Versus

1. The State of Bihar.
2. The District Manager, B.S.F.C.

.... Opposite Parties.

Appearance :

For the Petitioners : Mr. Kundan Kumar, Advocate.
For the State : Mr. Amitesh Kumar(App)
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2015 The petitioners are apprehending their arrest in connection with Baunsi P.S. Case No. 39 of 2015 for the offences instituted under Sections 406, 409, 420/34 of the IPC.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that the petitioners being the Labour Officer-cum-Centre-in-charge and Agriculture Co-ordinator, Bounsi respectively purchased 70603.93 quintals of paddy and they distributed only 69889.03 quintals of paddy to different millers for preparing CMR and it is alleged that 714.90 quintals paddy remained undistributed and during inspection the same was not found in the godown. It is further alleged that in spite of notices issued to them, they did not reply the same and thereby misappropriated 714.90 quintals of Govt. paddy and

committed defalcation of the same.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is submitted that the petitioners have been made accused in the present case due to mistake of fact. It is further submitted that each petitioners are ready to deposit an amount of Rs. 40,000/- each respectively which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall deposit an amount of Rs. 40,000/- each respectively in the court below which shall be subject to final disposal of the case and on doing so, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Baunsi P.S. Case No. 39 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)