

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34514 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

=====

Ramvilash Ram Son of Nithohar Ram, Block Welfare Officer-cum-Center
Incharge, Islampur Resident of Mohalla- Kisan Colony, P.s.- Anisabad,
District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. District Manager, Bihar State Food and Civil Supplies Corporation Ltd.,
Nalanda

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. A.N. Rai, Adv.
For the State : Mr. Binod Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 07-12-2015 Heard both sides.

The petitioner apprehends his arrest in Islampur P.S.
Case No. 108/2015, registered for the offences punishable under
Sections 409, 420 and 34 of the Indian Penal Code.

The petitioner being Block Welfare Officer was made
Incharge of Purchase Centre, Islampur. Ram Soheshwar Rai was
made Assistant. In the year 2012-2013, 104844.03 quintal of
paddy was sent to different rice mills. It is alleged that 7462.30
quintal was misappropriated by the petitioner, the cost of which
comes to Rs. 97,33,824/-.

Sri Surendra Kumar Singh, learned counsel for the

petitioner submits that the petitioner sent several letters for lifting the paddy from the godown, but no paddy was lifted. Some paddy was also damaged.

On the other hand learned counsel for the BSFC has submitted that from perusal of the FIR itself, it appears that on physical verification of the godown 7462.30 quintal paddy was found shortage. Petitioners sent many letters, but he did not reply. Ultimately, the District Magistrate, Nalanda made inspection of his godown and found shortage of paddy from the godown. Even the statement of the petitioner was taken to be true without verification of other three godowns that 2150 quintal paddy was lying there. The District Magistrate came to the conclusion vide letter no. 17-09/13-1169 dated 16th September, 2013 and reported about the shortage and ordered to file FIR and action be taken in accordance with law.

Considering the facts aforesaid and the fact that huge quantity of paddy of worth Rs. 97,33,824/- was misappropriated by the petitioner being the Incharge of Purchase Centre, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Rakhi

U		T	
---	--	---	--