

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34667 of 2015

Arising Out of PS.Case No. -100 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

Ram Pukar Paswan, S/o late Jagat Paswan, r/v Bagaha, P.S. Sonbarsha (Kanhauli), District-Sitamarhi, at present posted as Block Agriculture Officer (B.A.O.) at Andharatharhi Block, District- Madhubani.

.... Petitioner

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 03-11-2015 Heard both sides.

The petitioner apprehends his arrest in Vaishali (Belsar O.P.) P.S. Case No. 100/2015, registered for the offences punishable under Sections 467, 468, 471, 406, 120B of the Indian Penal Code and 7 of the E.C. Act.

The petitioner was Incharge of paddy purchase centre. He purchased 7108.40 quintal of paddy, but he supplied only 6657.80 quintal of paddy to different millers. There was shortage of 450.60 quintal of paddy, price of which comes to Rs. 5,87,762.64/-.

Sri Sameer Ranjan, learned counsel for the petitioner submits that the petitioner is not responsible for shortage of paddy, as the petitioner had sent letters for lifting of the paddy. There was

no sufficient space for keeping the paddy properly.

It appears that there was no damage paddy found, rather there was shortage of 450.60 quintal of paddy and the petitioner appears to be Incharge of the paddy centre.

It is submitted that the petitioner is ready to deposit the entire amount alleged to have been defalcated by the petitioner within six months from the date of this order.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 100/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit Rs. 5,87,762.64/- within six months from the date of this order, learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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