

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29950 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

Kapildeo Paswan Son of Harishchandra Paswan, resident of village and P.O. - Gopalpur, P.S. - Warisaliganj, District - Nawada, presently posted as Block Agriculture Officer, Ariary Block, District - Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food Corporation, Vaishali.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Dr. Harendra Kumar Singh

For the Opposite Party/s : Mr. Pronoti Singh(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioner and learned counsels appearing on behalf of the State and BSFC.

The petitioner is apprehending his arrest in connection with Vaishali Sadar P.S.Case No. 99 of 2015 registered under Sections 467, 468, 471, 406, 120B of the IPC and Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that the allegation has been made against the petitioner, who is Block Agriculture Officer at Ariary Block in the District of Sheikhpura, is of having defalcated paddy worth Rs.4,96,128.54 only. It is further submitted that in fact out of the said amount the Block Development Officer, Ariari, Sheikhpura has already recovered an

amount of Rs.2,10,000/- from the salary of the petitioner which stands testified by Annexure-10 to the petition, which has been filed by way of a supplementary affidavit.

Considering the fact that almost 50% of the alleged amount has already been recovered, which is testified by the Block Development Authority from his own documents vide letter dated No. 956 dated 26.6.2015, let the petitioner, above named, in the event of his arrest/surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Vaishali Sadar P.S.Case No. 99 of 2015 to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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