

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28397 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

=====

Akhilesh Kumar Son of Sakhichand Ram resident of Mansurpur Chamarua,
P.S. - Karja, District - Muzaffarpur at present posted as Block Agricultural
Officer, Raghapur, District - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. M.Dayal(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 29-10-2015 Heard both sides.

The petitioner apprehends his arrest in Desari P.S.
Case No. 76/2015, registered for the offences punishable under
Sections 406, 409, 420 of the Indian Penal Code and 7 of E.C.
Act.

The petitioner was Block Agricultural Officer-cum-
Incharge, Paddy Purchase Centre, Sahdei Buzurg. The petitioner
purchased 2896.77 quintals of paddy, but he delivered only
2532.21 quintals of paddy to the miller. On verification of stock,
there was shortage of 324.56 quintal of paddy and the petitioner is
said to have defalcated the entire amount of paddy amounting to
Rs. 4,23,356.06/-.

Learned counsel for the petitioner submits that the petitioner sent several letters for lifting of paddy as the godown was not found in fit condition but the paddy was not lifted. In the similar facts, other Incharge of Purchase Centre of paddy have been granted anticipatory bail on depositing of amounts vide Cr. Misc. No. 28873/2015 and Cr. Misc. No. 29213/2015.

It appears that the petitioner is alleged to have misappropriated 324.56 quintal of paddy worth Rs. 4,23,356.06/-. The petitioner is ready to deposit the entire amount within six months.

Considering the facts aforesaid that the petitioner is ready to deposit the entire amount within six months from the date of receipt of this order, 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 at Hajipur in connection with Desari P.S. Case No. 76/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit the entire amount i.e. Rs.

4,23,356.06/- within six months from the date of receipt of this order, learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

Rakhi

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