

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9861 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -ATRI District- GAYA

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Anil Choudhary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Adv.
For the BSFC : Mr. Shailendra Kumar Singh, Adv.
For the State : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the Block Agriculture Officer is apprehending arrest in a case registered for the offences punishable under Section 409 of the Indian Penal Code.

It is alleged that the petitioner procured/purchased paddy to the tune of 20426.90 quintals but he supplied only 18349.52 quintals of rice to the rice millers and 632.58 quintals of paddy could not be supplied, subsequently 1444.80 quintals of paddy were found in the go-down, hence ultimately, the petitioner could not give the charge for 423.83 quintals of paddy.

It is submitted by learned counsel for the petitioner that the accusation is based on miscalculation of the stock and the supply made to the rice millers. It is further submitted that the petitioner is ready to deposit 50% cost of the price of the alleged

short/misappropriated paddy before the State Food Corporation within a period of four weeks which will be subject to the result of the present case.

Mr. Shailendra Kumar Singh, learned counsel for State Food Corporation submits that prescribed rate for the paddy is Rs. 1280/- per quintal with condition as stipulated in the letter dated 21.01.2015.

On deposit of the aforesaid amount, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Gaya in connection with Atri P.S. Case No. 40 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid deposit will not preclude the State Food Corporation to take recourse to the other proceeding for recovery of the alleged amount.

(Dinesh Kumar Singh, J)

Amrendra/-

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