

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31598 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -ARWAL District- JEHANABAD

Dinesh Kumar @ Dinesh Prasad, son of late Ganesh Prasad

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh No.-5 (App)

For the BSFC : Mr. A. N. Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015

Heard learned counsels for the petitioner and Bihar

State Food and Civil Supplies Corporation Ltd.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code and 7 of the Essential Commodities Act.

The prosecution case is that the petitioner being the Block Panchayat Rajya Officer, Arwal purchased 57273.40 quintals of paddy during the agriculture season 2011-12, he handed over only 56655.95 quintals of paddy to the rice miller but misappropriated 617.45 quintals of paddy worth ₹6,96,471/-.

It is submitted by learned counsel for the petitioner that the District Magistrate, Arwal conducted an enquiry and forwarded his report to the Managing Director, Bihar State Food

and Civil Supplies Corporation Ltd. vide memo no.538 dated 11th July 2013 (as contained in annexure-5 to the petition) to the effect that paddy were not misappropriated but the same was destroyed as the same was kept in open space and the rice miller failed to lift the same within the stipulated period.

Mr. A. N. Rai, learned counsel appearing for the Bihar State Food and Civil Supplies Corporation Ltd. has not converted the report of the District Magistrate, Arwal issued vide memo no.538 dated 11th July 2013.

Considering the aforesaid facts, 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 Chief Judicial Magistrate, Jehanabad in connection with Arwal P.S. Case No.91 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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