

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47200 of 2015

Arising Out of PS.Case No. -50 Year- 2015 Thana -MADANPURA District- AURANGABAD

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Arvind Kumar Son of Late Parmanand Prasad Resident of Bahadurpur,
P.O.-Gilanee, P.S.-Sthama, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food and Civil Supplies Corporation Limited, Sone Bhawan,
Patna, Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears for the Bihar State Food and
Civil Supplies Corporation Ltd.

The petitioner prays for anticipatory bail in a case
registered under Sections 409 and 420 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner
that the entire allegation made in the first information report is of
having defalcated 54.215 M.T. paddy as being the in-charge of
Paddy Adhiprapti Kraya Kendra, Madanpur. He has received
6022.981 M.T. of paddy, whereas he has supplied 5968.766 M.T.
to the Rice Miller causing thereby defalcation of paddy worth
Rs.6,91,295/0, which would be recoverable from him. Learned
counsel for the petitioner in this regard relies upon an office order
No.474 dated 21.1.1994 issued by the Bihar State Food and Civil

Supplies Corporation, in which it is stated that with respect to paddy one per cent loss/shortage is to be considered as normal and approved by the said office order. Learned counsel for the petitioner further submits that in the present matter the shortage is less than one per cent and thus no such case ought to have been registered against the petitioner.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner, Arvind Kumar, in the event of his arrest/surrender in the Court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No.50 of 2015, corresponding to G.R. No.631/2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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