

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50020 of 2015

Arising Out of PS.Case No. -249 Year- 2015 Thana -C.B.I CASE District- VAISHALI(HAJIPUR)

Rakesh Kumar Son of Sri Banwari Prasad, Resident of Village -
Suzawalpur, Police Station - Saraiya, District - Muzaffarpur, Presently
posted as Block Agriculture Officer, Vaishali at Hajipur.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food & Civil Supplies, Corporation
Ltd., Vaishali.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Bindhyachal Singh, Advocate
For the BSFC : Mr. Shailendra Kumar Singh, Advocate
Mrs. Neeta Singh, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Sections 406, 409, 420 and 120B of
the Indian Penal Code and Section 7 of the E.C. Act registered
in connection with Vaishali P.S. Case No. 249 of 2015.

3. It is submitted that the petitioner being the
Block Agriculture Officer, Vaishali has been falsely implicated
and in any event the shortage of paddy was well within the
tolerance limit of 17% in terms of Food and Consumer
Protection Department's letter No. 7714 dated 06.12.2013

(Annexure-2). In the instant case shortage of only about 441 quintals was found as against 8864 quintals of paddy purchased by the farmers.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 249 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

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