

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54874 of 2015

Arising Out of PS.Case No. -221 Year- 2013 Thana -KARAKAT District- SASARAM (ROHTAS)

=====

Gauri Shankar Ojha son of Baliram Ojha

.... Petitioner/s

Versus

1. The State of Bihar
2. Dharmendra Kumar son of Shiv Nandan Sinha, Presently posted as District Manager of Bihar State Food Corporation, Sasaram, Rohtas.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. S. N. P. Sinha, Sr. Advocate
Mr. Sanjay Kumar Ghosarvey, Advocate
For the BSFC : Mrs. Manisha Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-12-2015 Heard learned counsels for the petitioner and the Bihar State Food and Civil Supplies Corporation Ltd and the informant.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406, 409, 420 and 120B of the Indian Penal Code.

The prosecution case is that under an agreement the Purchase Centre of Rajpur, District-Rohtas was supplied 9605 quintals of paddy by the Rohtas unit of Bihar State Food and Civil Supplies Corporation Ltd. during the agriculture years 2011-12 in lieu thereof the purchase centre was supposed to

supply 60705.35 quintals of custom milled rice by 30.04.2013, but 23722.61 quintals of CMR was supplied and failed to supply 36982.75 quintals of rice worth ₹ 7,03,82,981.01/-. It is alleged that Birendra Kumar Singh was the I/c of the purchase centre and petitioner being his driver misappropriated the whole amount.

It is submitted by learned counsel for the petitioner that neither the petitioner is I/c of the paddy purchase centre nor is a rice miller and moreover, he is in now way connected with the whole transaction. The petitioner has simply been roped in the present case since he was driver of the I/c of the purchase centre namely Birendra Kumar Singh.

It is submitted by learned counsel for the Bihar State Food and Civil Supplies Corporation Ltd. that the petitioner in connivance with Birendra Kumar Singh misappropriated the whole amount. Earlier also a case was lodged against the petitioner.

Considering the thrust of accusation against Birendra Kumar Singh, 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 Judicial Magistrate, Bikramganj, Rohtas in connection with Karakat P.S. Case No.221/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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