

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54152 of 2015

Arising Out of PS.Case No. -126 Year- 2015 Thana -NAWANGAR District- BUXAR

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1. Shiv Kumar Rai Son of Shri Raja Ram Resident of Village - Dhangain,
P.S. - Bikramganj, District - Rohtas, Ex-In-Charge, Purchase Centre,
Nawanagar Block, B.S.F.C., District - Buxar

.... Petitioner/s

Versus

1. State of Bihar
2. Bihar State Food Corporation through Managing Director, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlendu Shekher Thakur

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 08-12-2015

The prosecution case as per the written report of the District Manager, State Food Corporation, Buxar is to the effect that during procurement years 2013-14 the petitioner being Block Co-operative Extension-cum-In-charge of the purchase Centre as well as Executive Assistant, S.F.C, Nawanagar in connivance with others purchased 51165.60 quintals of paddy out of which only 49720.08 quintals were provided to different millers and price of the paddy was paid to the farmers but the rest 1445.52 quintals of paddy were remained with accused persons. During physical verification the said paddy was not found and hence, it is alleged that petitioner and others misappropriated Rs. 24,00,481.40/-.

It is submitted by learned counsel for the petitioner that during enquiry the charge of misappropriation

has not been proved against the petitioner and petitioner handed over the charge on 31.07.2014 itself to co-accused with 4437.40 quintals along with other articles.

It is submitted by learned counsel for the SFC that alleged charge report was found forged and the person concerned has been removed from the employment.

Considering the nature of accusation, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Nawanagar P.S. Case No. 126 of 2015, pending in the Court of learned Chief Judicial Magistrate, Buxar.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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