

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22858 of 2016

Arising out of P.S. Case No. - 25 Year - 2016 Thana - BRAHMPUR District - BUXAR

Surya Prasad, Son of Late Ram Chandra Prasad, Resident of Village - L/60
New Housing Colony Chandwara, P.S. - Nawada, District - Bhojpur at Ara
the then Block Agriculture Officer, Barahmpur-cum-Incharge Paddy
Procurement Centre Brahmpur, Distict - Buxar

.... Petitioner

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Supplies Corporation through its District
Manager Buxar

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Ram Binod Singh

For the Opposite Parties : Mr. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-07-2016

Heard both sides.

The petitioner apprehends his arrest in Brahmpur P.S.

Case No. 25 of 2016 registered for the offences punishable under
Sections 420 and 409 of the Indian Penal Code.

District Manager, State Food Corporation, Buxar
alleged that the petitioner was deputed as In-Charge of purchasing
centre in the year 2012-13. The petitioner purchased 34416.20
quintals of paddy and supplied 34220.80 quintals of paddy to the
different millers. 195.40 quintals of paddy remains in the godown
of the petitioner due to which loss caused to the Corporation worth
Rs.2,83,510.78/-. It is alleged that 195.40 quintals of paddy was
also auctioned but the condition of paddy was deteriorated,

therefore, loss caused to the S.F.C. due to negligence of the petitioner.

Shri Bindhyachal Singh, learned counsel for the petitioner submits that there is no shortage of paddy, in fact, the millers did not lift 195.40 quintals paddy from the purchase centre where the petitioner was deputed and the same remained in the godown. The condition of godown was not good, therefore, the quality of paddy deteriorated.

The learned counsel for the S.F.C. and the State, however, opposed the prayer for anticipatory bail.

It appears that there was no shortage of paddy, in fact, 195.40 quintals of paddy remained in the godown, condition of which deteriorated and it may be a case of negligence on the part of the petitioner but the petitioner does not defalcate any amount.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in

connection with Brahmpur P.S. Case No. 25 of 2016, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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