

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26132 of 2016**

Arising Out of PS.Case No. -554 Year- 2014 Thana -KRITYANAND NAGAR District- PURNIA

Guru Prasad Mandal, S/o late Mukhlal Mandal, R/o Mohalla Prabhat Nagar,  
P.S. Katihar Town, District - Katihar

.... .... Petitioner/s

Versus

1. The State of Bihar

2. The District Manager, Bihar State Food Corporation Ltd. Purnea

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the B.S.F.C. : Mr. Aditya Prakash Sahay

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

3 10-08-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

Petitioner is accused in connection with K. Nagar (Sri  
Nagar) P.S. Case No. 554 of 2014 registered under Sections 409,  
420 and 120B of the I.P.C.

The accusation is that the petitioner, being the Gram  
Panchayat Supervisor, under conspiracy with Abhishek Kumar,  
Executive Assistant of Paddy Purchase Centre, Sree Nagar,  
misappropriated 884.950 metric ton of paddy amounting to Rs.  
1,42,86,632.80.

Learned counsel appearing on behalf of the petitioner  
submits that in fact, the defalcation in purchase of paddy was  
committed by Abhishek Kumar, Executive Assistant of Paddy  
Purchase Centre and the petitioner made complaint by filing an

application before the B.D.O. on 08.10.2014 and thereafter, the present case has been lodged. Moreover, co-accused Abhishek Kumar has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 37538 of 2015 on 12.01.2016. It is further submitted that charge-sheet has already been submitted against the petitioner and he is in custody since 30.04.2016.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, Purnea in connection with K. Nagar (Sri Nagar) P.S. Case No. 554 of 2014. Out of two sureties, one surety must be the close relatives/parents of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of trial in the Court below. If the petitioner fails to remain present on two consecutive dates during the course of trial without any reasonable cause, the Court concerned would be at liberty to take steps for cancellation of his bail bonds.

**(Rajendra Kumar Mishra, J)**

Shail/-

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