

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28764 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -NATWAR District- SASARAM (ROHTAS)

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1. Rabindra Kumar Tiwari @ Rajendra Tiwari Son of Shivnath Tiwari
Resident of village - Musawat, P.S. Natwar, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Prasad Singh, the District Manager, the Bihar Food Corporation,
Rohtas at Sasaram

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Sachin Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 05-09-2016

Heard both sides.

The petitioner apprehends his arrest in Natwar P.S.
case No. 03 of 2016 under Section 406, 407, 408, 409, 467, 468,
420 and 120B of the Indian Penal Code.

The petitioner was Chairman of the Saraon PACS
and it is alleged that petitioner on the basis of enforcement order
only 225.25 quintals of paddy should have been purchased from
the farmers but the petitioner purchased 276 quintals of paddy.

It is submitted that there is no illegality in purchasing
much paddy from different farmers. The petitioner has not
misappropriated any amount of paddy and the entire paddy was
handed over to BSFC. Other accused persons have already been

granted anticipatory bail.

The learned counsel for the BSFC vehemently opposed the prayer for anticipatory bail.

Considering the fact that petitioner purchased 276 quintals of paddy instead of 225.25 quintals of paddy from different farmers and the entire paddy was handed over to BSFC, the above named petitioner, 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 Sub-divisional Judicial Magistrate, Bikramganj, Rohtas in Natwar P.S. Case No. 03 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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