

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38884 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -DUMRA District- SITAMARHI

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SRI SHIVRAJ BAHADUR SINHA @ SHIV RAJ BAHADUR SINHA, S/o Late Gauri Shankar Prasad, Resident of Village- Jaiber P.O. Nodghat, P.S.- Gaurichak District Patna. at present posted as Block Co-operative Officer Sonbarsa District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supply Corporation.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the A.P.P. : Mr. Dr. Ajeet Kumar
For the B.S.F.C. : Mr. Harish Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Dumra P.S. Case No. 50 of 2016 registered under Sections 406, 409, 420 and 427 of the Indian Penal Code.

The accusation is that petitioner, being the Block Co-operative Officer, Sonbarsa, was appointed as In-charge of the Purchase Centre of Sonbarsa for purchasing the paddy in the financial year 2012-2013. While 50245.20 paddy was received at the center but only 34455.43 quintal paddy was supplied to the miller and remaining 15789.77 quintal paddy was misappropriated causing loss of Rs. 25491004.70 to the B.S.F.C.

Learned counsel appearing on behalf of the

petitioner submits that the allegation against the petitioner is about misappropriation of 50245.20 quintal paddy in the year 2013-2014, being the in-charge of Purchase Centre, Sonbarsa, but the Annexure-3, which is the letter to the District Magistrate, Sitamarhi disclosed that in the year 2013-14 only 15468.70 paddy was found in the store. As such, the petitioner has falsely been implicated in this case mere on suspicion with ulterior motive. However, one similarly situated co-accused Sri Shambhu Shankar @ Shambhu Shankar has already been allowed anticipatory bail by a Bench of this Court vide Cr. Misc. No. 20351 of 2016 on 27.06.2016.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Sitamarhi in connection with Dumra P.S. Case No. 50 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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