

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18395 of 2016

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

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1. Shio Kumar Rai Son of Sri Raja Rai Resident of Village- Dhangai , P.s
vikramganj, District Rohtas.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. M.K.Nirala(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 30-06-2016 Heard learned counsel for the petitioner, learned
counsel for the B.S.F.C. and learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Nawanagar P.S. Case No. 126 of 2015 registered for the offences
punishable under Sections 406, 409, 420 of the Indian Penal Code.

Allegedly, petitioner being In-charge of procurement
centre purchased 51,165.60 quintal paddy and out of that gave
49,720.08 quintal paddy to different millers and rest 1,445.52
quintal paddy valuing Rs. 24,00481.40 was misappropriated by the
petitioner and co-accused, Harendra Kumar Singh.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, the paddy



was stored in open space, no plastic etc. was given at the centre to cover the purchased paddy. From lifting register it will appear that mostly Mr. Sanjay Kumar Singh and Mr. Harendra Kumar Singh have received delivery of paddy as the petitioner mostly remained out of his office due to his illness, he was transferred from Buxar to Bikramganj as Block Cooperative Extension Officer and he was relieved vide memo no. 234 dated 19.08.2014 after handing over charge, this case has been lodged in the year 2015 and, as such, the petitioner, who is suffering in custody since 29.02.2016, deserves sympathetic consideration to which the learned counsel for B.S.F.C. and learned A.P.P. oppose.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of 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 Nawanagar P.S. Case No. 126 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and

every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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