

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39889 of 2016

Arising Out of P.S. Case No. -94 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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Sajan Kumar Singh @ Sajjan Kumar Singh, Son of Late Panna Lal Singh,
Chairman (President of PACS Purvi Borney (Sonbarsha Ghat), P.S.
Choutham, District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-09-2016

Heard both sides.

The petitioner apprehends his arrest in Choutham
P.S. Case No. 94/2016 registered under Sections 420/406 of the
Indian Penal Code.

The petitioner was the Chairman of Purvi Borney
(Sonbarsha Ghat) PACS. The petitioner purchased 4775.6 quintals
of paddy at the rate of Rs. 1410/- per quintal in the Financial Year
2015-16. The money has already been paid to the farmers through
the accounts of the petitioner. The petitioner had to deposit
3199.65 quintals of CMR to the B.S.F.C. The petitioner has
informed that the entire CMR has already been deposited in the
godown of the B.S.F.C. but the Manager of the B.S.F.C. informed
that he received only 2053.66 quintals of CMR and the petitioner
misappropriated 1145.99 quintals of CMR, the cost of which

comes to Rs. 24,11,706/-.

The learned counsel for the petitioner submits that in fact no shortage was found. The petitioner shifted the foodgrains to another godown, that is why, the foodgrains was not found in the godown. However, the petitioner is ready pay the entire amount of Rs. 24,11,706/- to the Co-operative Department within six weeks.

Considering the facts aforesaid and the fact that the petitioner is ready to pay the entire amount of Rs. 24,11,706/- within six weeks, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of six 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, Khagaria in Choutham P.S. Case No. 94/16, G.R. No. 1595/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event the petitioner does not deposit the aforesaid amount within six weeks, the bail bonds of the petitioner shall be cancelled.

Dilip/-

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(Prabhat Kumar Jha, J)