

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46585 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -GWALPARA District- MADHEPURA

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1. Bipin Kumar Singh S/o Kedar Singh @ Kedar Prasad Singh
2. Kumod Singh S/o Late Ramsharan Singh Both are Resident of village-
Sahpur, P.S.- Gwalpara, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food Corporation, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 07-12-2016 Heard both sides.

The petitioners apprehend their arrest in Gwalpara P.S.

Case No. 61/2016, registered for the offences punishable under
Sections 409, 420, 120B of the Indian Penal Code.

The petitioner no. 1 is the Chairman of Shahpur PACS
and petitioner no. 2 is the Assistant Manager. Petitioners are
alleged to have misappropriated 1514.72 quintals of paddy, the
price of which comes to Rs. 21,35,755/-.

Learned counsel for the petitioners submits that the
Branch Manager of Bihar State Cooperative Bank Ltd., Bihat
branch sent a letter to Amit Kumar, Cooperative Extension
Officer, Gwalpara, Madhepura that in pursuance of letter no. 742



dated 29.07.2016 on the basis of which the present F.I.R. was lodged, the petitioners in the procurement year 2015-16 has already deposited the entire dues and now no money is lying due against the petitioners and their name has been struck off from the list of defaulters.

Mr. Shailendra Kumar Singh learned counsel for the B.S.F.C. submitted that there is contradiction, but since the Branch Manger of the Cooperative Bank who advanced money to the Shahpur PACS, Gwalpara has stated that petitioners have already deposited the entire amount and nothing is lying due against the petitioners.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Uda Kishunganj in connection with Gwalpara P.S. Case No. 61/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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