

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.146 of 2016

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Santosh Kumar Yadav son of Late Gupteshwar Singh at village - Mohani,
P.O. - Shivpur, P.S. - Bikramganj, District - Rohtas (Sasaram).

.... Petitioner

Versus

1. The State of Bihar through District Magistrate Rohtas At Sasaram.
2. The District Manager, Bihar State Food Corporation, District - Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
Mr. Satyendra Prasad Singh
For the State : Mr. Ravish Chandra, AC to SC16
For BSFC : Mr. Anurag Sourav

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
ORAL ORDER

3 16-03-2016 Heard learned counsel for the petitioner, State and the

counsel for the Bihar State Food and Civil Supplies Corporation

Limited.

2. The present petition is filed for quashing of the First
Information Report No. 55 of 2015, registered in Bikramganj
Police Station lodged on the complaint of the District Manager,
Bihar State Food and Civil Supplies Corporation, Rohtas at
Sasaram, to Station House Officer, Bikramganj. As per the
complaint, 7000 quintals of paddy was entrusted to the petitioner
for milling purposes out of which 67% was to be milled as rice
amounting 4690 quintals. Such custom milled rice was to be
delivered upto 30th April, 2013. But only 540 quintals of custom

milled rice has been delivered. Therefore, the petitioner has failed to deliver 4150 quintals of rice at the cost of Rs.1903.13p. per quintal.

3. The paddy was entrusted to the petitioner for milling purposes so as to return the same for distribution by the Public Distribution System. However, large quantity of 4150 quintals of custom milled rice has not been returned after milling of paddy. Thus, it cannot be said that the petitioner has not misappropriated the paddy to such extent.

4. I do not find that any case for quashing of the First Information Report is made out.

5. The writ application, thus, stands dismissed, however, with observation that any observation made herein is only for the purpose of present application and will not prejudice the trial which the petitioner is to face in accordance with law.

(Hemant Gupta, J)

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