

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16097 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

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Rajendra Prasad son of Late Ram Prasad Singh Resident of Village-
Tenauth, P.S.- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

2. The District Manager, Bihar State Food Corporation, Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

For the BSFC : Mr. Shailendra Kumar Singh

For the State : Mr. Mukesh Kr.Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

4 23-06-2016 Heard learned Senior Counsel for the petitioner and learned

Additional Public Prosecutor for the State as well as learned

counsel appearing on behalf of the Bihar State Food and Civil

Supplies Corporation.

The petitioner being the Chairman of the PACS apprehends

his arrest in connection with a case registered for the offences

punishable under Sections 406/407/408/409/419/420/467/468/

120B/34 of the Indian Penal Code.

Diary in this case was called for earlier which has since

been received.

Learned Senior Counsel for the petitioner submits that the

allegation as against the petitioner is of defalcation of a paltry

amount of paddy which is barely to the tune of 5 quintals.

Learned counsel appearing on behalf of the Bihar State

Food and Civil Supplies Corporation after perusal of the case diary submits that a discrepancy of about 5 quintals was found in the purchase of paddy made by the petitioner from the farmers. It appears that such a paltry amount has been made the subject matter of prosecution against the petitioner but he also submits that the element of conspiracy between the accused persons cannot be ruled out.

However, taking into account the entire facts and circumstances of the case, the paltry amount involved, the allegation as alleged against the petitioner and that he is willing to co-operate with the investigation and be present himself at all material times in course of trial, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 06/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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