

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47382 of 2017

Arising Out of PS. Case No.-215 Year-2016 Thana- SHIVSAGAR District- Rohtas

Prithvi Narayan Singh Son of Kulbansh Singh Resident of village- Morkup,
P.O.- Naad, P.S.- Baddi (Seosagar), District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation through the M.D.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh
		Mr. Abhiprav Singh
For the BSFC		Mr. Harish Kumar

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 16-10-2017 Heard the parties.

As the Chairman of the PACS, the petitioner was entrusted 1434 quintals of paddy. He was to supply 968.78 quintals of CMR which he did not do so. The loss sustained by the government is quantified at Rs. 15-16 lakh.

Learned counsel for the petitioner submits that paddy so obtained was entrusted to Janvi Mini Rice Mill, Seosagar. If the CMR was not deposited, it was the fault of the rice mill owner. The petitioner is in custody since 01.08.2016. He also submits that for obtaining the privilege of bail, the petitioner would



be ready and willing to deposit part of the alleged defalcated amount as directed by the court.

Mr. Harish Kumar, counsel for the BSFC, on the other and, submits that explanation of the petitioner is not worth acceptance as he has not taken any step to prosecute the rice mill owner or to take any action.

Considering the submissions made at Bar, present application is disposed of by the following order:-

Let the petitioner above named be released on bail provisionally for a period of six weeks on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Sasaram in Seosagar P.S. Case No. 215 of 2016 on condition that along with the bail bonds he shall produce receipt/document showing payment of Rs. Two lakh in the office of the informant or appropriate authority of the government. Before expiry of the period of provisional bail, the petitioner shall produce receipt/document showing further deposit of Rs. Two lakh whereafter the learned trial court shall confirm the bail of the petitioner.

Be it noted, such deposit made by the petitioner



shall be without prejudice to his right and contention
in the pending case.

(Kishore Kumar Mandal, J)

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