

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35209 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -SHIVSAGAR District- SASARAM (ROHTAS)

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1. Jwala Ram Son of Sri Bishwanath Ram, Resident of Village & P.O.- Karath, P.S- Tararhi, District- Bhojpur. At Present Posted as Block Statics Supervisor, Rampur, District- Kaimur (Bhabhua)

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food Corporation through its District Manager Rohtas (Sasaram)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Harish Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

12 01-05-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Sheosagar P.S.Case No.97 of 2016, registered for offences punishable under Sections 407, 409 and 420 of the Indian Penal Code.

Allegation against the petitioner is that a huge quantity of paddy was purchased by the petitioner but he did not deposit the same in the Godown, causing loss of huge amount to the B.S.F.C., whereas the Government had issued a general letter in this regard. There is also allegation against the petitioner about misappropriation of 2822.40 quintals of paddy, as such he has defalcated huge amount.



It has been submitted on behalf of the petitioner that the purchaser used to purchase paddy and not deposited the same and he had also requested several times to the District Manager, State Food Corporation, Rohtas at Sasaram for lifting the same but he did not lift the paddy as such there was loss of paddy and it is further submitted that earlier this Court had directed for enquiry by a three member committee, but no enquiry has been made. Lastly, it is submitted that the persons, having similar allegation, have been granted bail by this Court, vide order dated 09.02.2017 passed in Cr. Misc. No.51176 of 2016, dated 27.07.2016 passed in Cr. Misc. No.19367 of 2016 and dated 02.03.2017 passed in Cr. Misc. No.48519 of 2016.

Heard learned A.P.P. and the learned counsel for the B.S.F.C. The learned counsel for the B.S.F.C. has submitted that huge amount has been defalcated by the petitioner and so far enquiry is concerned, it is submitted that after enquiry, it was found that details about purchase of paddy, as supplied by the petitioner was not true and there was some difference between the same causing defalcation of huge amount.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is



directed to surrender before the learned court below within a period of six weeks and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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