

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42923 of 2016

Arising Out of PS.Case No. -339 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Indu Devi, wife of Vinod Kumar, resident of Village - Braham Pura, P.S. -
Banjariya, District - East Champaran, Presently PACS, Chairman, Fulwar
under Banjariya Block, East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chairman Bihar State Food Co-operation Department, Patna, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advcoate.
For the Opposite Party/s : Mr. Sri Binod Kumar, APP
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

8 08-09-2017 Heard learned counsel for the petitioner, learned
counsel for the B.S.F.C. and the learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Turkaulia (Banjariya) P.S. Case No. 339 of 2016, registered
under Sections 420 and 409 of the Indian Penal Code, pending in
the court of Chief Judicial Magistrate, East Champaran, Motihari.

The accusation is that petitioner being the Chairman
of PACS of Block Banjariya, received 6173 Mt. paddy with
agreement to supply 4135.91 Mt. (CMR) rice after milling to the
Bihar State Food Corporation but petitioner only supplied 2608.81
Mt. (CMR) rice till 31.07.2016. As such, petitioner



misappropriated the remaining 1527.1 Mt. rice worth of Rs.32,13,746.73/-.

Learned counsel for the petitioner submits while petitioner had given undertakings on 17.02.2017 to deposit the defalcated amount in six equal installments and thereafter the order was passed to list this case after six months but due to initiation of Recovery Certificate Proceeding No. 01 of 2016-17, the aforesaid amount could not be deposited by her.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, her prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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