

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.826 of 2017

Arising Out of PS.Case No. -50 Year- 2016 Thana -DUMRA District- SITAMARHI

=====

Rahul Kumar S/o Sri Shambhu Nath Prasad R/o Village- Manik Chowk ,
P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. District Manager, The Bihar State Food and Civil Supplies Corporation
Limited, District- Sitamarhi.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Narayan Lall, Adv.
For the BSFC : Mr. Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner, learned
A.P.P. and learned counsel for the B.S.F.C.

The petitioner apprehends his arrest in Dumra P.S.
Case No. 50/2016, registered for the offences punishable under
Sections 406, 409, 420 and 427 of the Indian Penal Code.

The informant alleged that Md. Mojjamil Hussain,
Block Co-operative Officer, Riga, Sitamarhi was deputed to
purchase paddy and he misappropriated 126.10 quintals of paddy
the cost of which comes to Rs. 2,03,575.84.

Learned counsel for the petitioner submits that
petitioner is the Executive Assistant of the godown. He was only



to make entry in the register. Md. Mojjamil Hussain, Block Co-operative Officer, Riga was incharge of the godown and he is solely responsible for any shortage of foodgrains in the godown. Even the learned Sessions Judge has found that the petitioner is not directly involved in the case.

Considering the facts aforesaid and the fact that petitioner is not named in the F.I.R. and he was not authorized to purchase the paddy rather Md. Mojjamil Hussain, Block Co-operative Officer, Riga was entrusted to purchase and supply the paddy to the millers, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 50/16 G.R. No. 468/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

