

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27484 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -RAJPUR District- BUXAR

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Arun Kumar, S/o Sri Balmiki Singh, resident of Village- Bajidpur, P.S.- Ghoshi, District-Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, State Food Corporation, Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate
For the B.S.F.C. : Mr. Aditya Prakash Sahay, Advocate
For the S t a t e : Ms. Prativa Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 10-01-2017 Heard learned counsel for the petitioner and the learned counsel appearing for the State Food Corporation as well as the learned counsel for the State.

The petitioner is apprehending his arrest in connection with Rajpur P.S. Case No.62 of 2016 for allegedly having committed the offence under Sections 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that there is an allegation against the petitioner of having defalcated paddy measuring 554 quintals, which was quantified at Rs.9,19,992.00. It is further submitted on behalf of the petitioner that the petitioner cannot be saddled with the blame



of misappropriation of the Government money as he had joined the said Centre only on 2.5.2014 and had immediately complained that the full charge of his place of posting had not been given to him. However, when such anomalies were found at the said Centre, the petitioner had been saddled with the entire liability despite the fact that he had made complaints that full charge was not handed over to him.

Learned counsel for the State Food Corporation has filed a comprehensive counter affidavit, but from a perusal of the said counter affidavit, I am unable to appreciate as to how the entire liability can be saddled on the shoulder of the present petitioner without clearly stating as to whether the full charge has been handed over to him by his predecessor.

In view of the aforementioned facts and circumstances, let 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, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Rajpur P.S. Case No.62 of 2016, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

It is made clear that the petitioner shall make himself available for all interrogations and any further inquiry, which will be conducted by the State Food Corporation.

(Anjana Mishra, J)

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