

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60741 of 2018

Arising Out of PS. Case No.-464 Year-2017 Thana- BARACHATTI District- Gaya

Manoj Kumar Mishra, Son of Mahngu Mishra, Resident of Village - Khapia,
P.O. - Dhamma, Panchayat Hadepur, P.S. - Barachatti, Anchal – Dobhi –
District – Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S. Jamil Akhtar, Adv.
For the Opposite Party/s	:	Mr. Sri Shailendra Kumar -1
For the BSFC	:	Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-11-2018

The petitioner seeks regular bail in connection with Barachatti P.S. Case No. 464 of 2017, registered for offences punishable under Sections 420, 406, 409 of the Indian Penal Code.

Petitioner happens to be PACS Chairman Nadarpur and allegation against him is that for the year 2016-17, 2096 quintal paddy has been purchased by Nadarpur PACS, who had to supply 1404.32 quintal rice to the BSFC, Sherghati but only 723.50 quintal rice was deposited and rest 680.82 was not deposited and it is alleged that the same was sold in open market.

It has been submitted on behalf of the petitioner that



he has falsely been made accused in this case and there is no defalcation on the part of the petitioner rather the miller had not given 680.82 quintal rice to the PACS and, therefore, he could not deposited the aforesaid CMR to the BSFC. Petitioner has been in judicial custody since 04.05.2018.

Learned counsel for the State as well as the BSFC opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the court below that if the petitioner is ready to deposit the bank guarantee to the tune of agreement between the parties, the court below shall release the petitioner on bail to his own satisfaction, otherwise, he is free to pass any order as he deems fit and proper.

(Vinod Kumar Sinha, J)

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