

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4484 of 2018

Arising Out of PS.Case No. -102 Year- 2016 Thana -UDAKISHANGANJ District- MADHEPURA
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1. Ramanand Singh, S/o Late Narsingh Prasad Singh,
2. Kunal Kumar @ Kunal Pd. Singh, S/o Ramanand Singh, Both are R/o Village- Bhalawahi Tola- Gopalpur, P.S.- Uda Kishanganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation Limited through the Manager, Uda Kishanganj, PACS Office, Madhepura

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party/s : Mr. Md. Sufiyan, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 14-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Udakishunganj P.S. Case No. 102 of 2016 registered under Sections 406 and 409/34 of the Indian Penal Code.

The petitioner no.1 Ramanand Singh who happens to be chairman and petitioner no.2 Kunal Kumar who happens to be Assistant Manager of Gopalganj PACs are said to have collected 2244.30 quintal paddy equivalent to 1503.68 quintal CMR from the farmers and supplied only 425 quintal CMR to SFC, thus defalcated 1609.97 quintals paddy equivalent to 1078.68 quintal CMR.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. The petitioners have been falsely implicated in this case. As a matter of fact, the petitioner happen to be chairman/Assistant Manager of the PACs and they had supplied aforesaid paddy collected from the farmers to Govind Rice Mills under different truck challans, but the said Rice Miller supplied only 425 quintal CMR to the SFC. But instead of filing case against the aforesaid Miller for non-supply of total 1503.68 quintal CMR to SFC, the informant has filed aforesaid false and frivolous case against the petitioners. The petitioners have also filed various truck challans vide Annexure 4 series vide supplementary affidavit. The petitioners have been languishing inc custody since 08.09.2017.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Darbhanga in connection with Uda Kishunganj P.S. Case No. 102 of 2016.

(Prakash Chandra Jaiswal, J)

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