

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23201 of 2018

Arising Out of PS.Case No. -355 Year- 2017 Thana -BIRaul District- DARBHANGA

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1. Satish Kumar Rai Son of Shivjee Rai Resident of Village Dekulidham,
P.S. - Biraul, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasudeo Ram

For the BSFC : Mr. Lal Muni Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

6 18-07-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody since 14.10.2017, seeks bail in
Biraul PS Case No. 355 of 2017 registered under Sections 409 and
420 of the IPC.

The allegation in brief is that the petitioner was Chairman of
the concerned PACS purchased paddy from the farmers from
government money worth Rs. 39,93,952.05 but the same was not
transmitted to District Manager of BSFC and has misappropriated
the said amount.

Learned Counsel for the petitioner submits that the petitioner
has remained in custody for more than nine months, after cut off date
rice was not received by the BSFC and in other similarly situated
cases some coordinate Benches of this Court have granted
anticipatory bail to such kind of accused.

Whereas learned Counsel appearing on behalf of BSFC
submits that the petitioner used government money for purchasing
paddy and about forty lakh rupees was misappropriated.

Having considered the said facts and circumstances,
particularly the nature of offence, the Court is not persuaded to grant



bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial and preferably conclude the same within a period of one year and if the trial does not conclude within the stipulated period the petitioner may renew the prayer for bail.

(Arun Kumar, J)

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