

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14312 of 2019

Arising Out of PS. Case No.-72 Year-2015 Thana- BIHRA District- Saharsa

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Pramod Kumar, Son of Late Jaglal Choudhary, Resident of Village -
Bhergawan, P.O.- Mankipar, P.S.- Dhanaura, District - Patna, State -Bihar

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwa Bibhuti Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-07-2019 This is an application for grant of anticipatory bail in connection with Bihra (Saharsa) P.S. Case No. 72 of 2015, disclosing offences under Sections 420, 406, 409, 467, 468, 471 and 120B of IPC.

Prosecution story in brief is that the owner of rice mill has received 34410 quintals of paddy from the Bihar State Food and Civil Supplies Corporation Ltd. under an agreement to deposit 23054 quintals of CMR, but the petitioner has deposited only 5131.03 quintals of CMR and as such, Rs.3,88,14783/- has been embezzled by him. Further allegation is that petitioner being the District Manager at that time has to receive proper verification of the capacity and quantity of rice, but he has not reported the same and as such, she also facilitates with the



embezzlement and misappropriation.

Submission of learned counsel for the petitioner is that he only once visited at district Saharsa and thereafter, he was transferred. He has also submitted that miller has already been granted bail by a co-ordinate Bench of this Court on condition of payment of 25% of the same vide order dated 31.07.2015 in Criminal Misc. No. 27580 of 2015. He is ready to abide by any condition imposed upon him.

Heard learned APP and learned counsel appearing on behalf of B.S.F.C. also, who opposed the prayer for anticipatory bail on the ground that petitioner has not verified the capacity and quantity of rice supplied causing loss of Rs.3,88,14,783/-.

Having heard both sides, considering the fact that Miller has already been granted by a Co-ordinate Bench of this Court vide order dated 31.07.2015 in Criminal Misc. No.27580, as such, let the petitioner, above named, surrender before the learned court below by 12.07.2019 and on his surrender, he will be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge, Darbhanga, in connection with Bihra (Saharsa) P.S. Case No. 72 of 2015, subject to the condition laid down under Section 438(2)



of the Code of Criminal Procedure with further condition that he is to co-operate with the investigation and appear before the police as and when required and further condition is that once the charge sheet is submitted, he will co-operate with the disposal of the trial also.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

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