

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26672 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- ROHTAS District- Rohtas

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Krishnadeo Choudhary @ Krishnadeo Prasad, Son of Karu Choudhary,
Resident of Village- Rajapur Indaul, P.S.- Akbarpur, District- Nawada, at
present posted as Block Agriculture Officer, Tilauthu, Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd.,
Rohtas Rohtas (Unit Govt. of Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-07-2019 This is an application for grant of anticipatory bail in

connection with Rohtas (Amjhor) P.S. Case No. 129 of 2018,

disclosing offences under Sections 420 and 409 of the Indian

Penal Code.

Petitioner was posted as Block Agriculture Officer,
Tilauthu and there is an allegation that as In-charge of sale
center, he has purchased 16805.40 quintals of wheat, which is
kept in the godown, out of which, 12664.15 quintals was
supplied to the authorities and 4141.25 quintals of wheat
remained in the godown and after auction supplied to the
auction holders the storage of 1090 quintals of wheat was found
in the godown and as such, he has caused a loss of
Rs.1807987.70 to the Government Exchequer.



Submission of the learned counsel for the petitioner is that those wheat were kept in the Godown, which is not in good condition and the same has been informed to the authorities concerned but no action was taken, as such, wheat were damaged, resulting in the shortage of the same. It has further been submitted that petitioner is a Government servant and there is no chance of his absconding.

Heard learned A.P.P. as well as learned counsel for the B.S.F.C. also, they have opposed the prayer for anticipatory bail by stating that no information was given to the District Manager, rather information appears to have been given to the District Magistrate only, though District Magistrate is in-charge of the godown. Further submission is that he has misappropriated an amount of Rs.1807987.70 and investigation is still going on.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below by 17.07.2019 and on surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of Shri Kavindra Kumar, learned Judicial Magistrate, 1st Class, Dehri (Rohtas), in



connection with Rohtas (Amjhore) P.S. Case No. 129 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he is to appear before the Investigating Officer as and when required and produce all the papers to the I.O. also and if the charge sheet is submitted against the petitioner, he is to co-operate in trial and appear as and when required.

(Vinod Kumar Sinha, J)

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