

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.65268 of 2018**

Arising Out of PS. Case No.-312 Year-2013 Thana- FATUA District- Patna

Sunil Kumar Singh, Son of Late Sadanand Singh Resident of Village-  
Khopaiti,P.S. Madhepura,Distt.-Madhepura

... .. Petitioner

Versus

1. State Of Bihar and Anr
2. The Managing Director, Food and Civil Supply B.S.F.C.,Daroga Rai Path,  
Patna

... .. Opposite Party

**Appearance :**

|                      |   |                                                                                                       |
|----------------------|---|-------------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. P.K. Shahi, Sr. Advocate,<br>Mr. Sumeet Kumar Singh, Advocate<br>Mr. Satyarth Pd. Singh, Advocate |
| For the State        | : | Mr. Sanjay Kumar Tiwary, APP                                                                          |
| For the BSFC         | : | Mr. Shailendra Kumar Singh, Advocate                                                                  |

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

4      30-01-2019                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Fatuha P.S. Case no. 312 of 2013, registered under  
Sections 406, 420, 409, 467, 468, 471 and 120(B) of the Indian  
Penal Code.

The accusation is that 29000 quintal paddy was  
received by Arun Kumar, proprietor of Siddhi Vinayak Rice  
Mill for milling of the paddy to supply C.M.R. to depot of  
Food Corporation of India, but he did not supply the said rice.  
Later on, it was detected that the mill was not in a position to



keep 29000 quintal of paddy as such Arun Kumar, proprietor of Siddhi Vinayak Rice Mill misappropriated the paddy worth of Rs. 42367016/-.

Learned counsel for the petitioner submits that, admittedly, the petitioner was posted as Block Supply Officer, Fatuha at the time of alleged occurrence and he only made recommendation for supply of 29000 quintal of paddy to Arun Kumar, proprietor of Siddhi Vinayak Rice Mill, which name was also detailed in the list of rice miller approved by District Magistrate, Patna, except that petitioner has no role in connection with misappropriation of supplied paddy to mill of Arun Kumar. He further submits that Hari Shankar Prasad, District Manager, BSFC, Patna Rural, who executed the agreement with the miller, has already been allowed privilege of pre-arrest bail on 14.05.2018 vide Criminal Miscellaneous No. 61307 of 2017 by a co-ordinate Bench of this Court.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief



Judicial Magistrate, Patna City, Patna in connection with Fatuha  
P.S. Case No. 312 of 2013, subject to the condition as laid down  
under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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