

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17670 of 2020

Arising Out of PS. Case No.-195 Year-2018 Thana- AKBARPUR District- Nawada

SUDHA DEVI W/o Shri Ratan Singh Resident of Village- Barea, P.S.-
Akabarpur, Distt- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The District Cooperative Officer, Block Akabarpur, P.S.- Akabarpur, Distt-
Nawada. Bihar
3. The Bihar State Food and Civil Supplies Corporation through the Distt-
Manager, Nawada, Distt-Nawada Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sumeet Kumar Singh, Advocate
For the State	:	Mr.Parmeshwar Mehta, APP
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 30-09-2020 Heard Mr. Sumeet Kumar Singh, learned Counsel for
the petitioner Mr. Shailendra Kumar Singh, learned counsel
appearing on behalf of the BSFC and Mr.Parmeshwar Mehta,
learned Additional Public Prosecutor for the State.

The petitioner is apprehending arrest in connection
with Akabarpur P.S. Case No. 195 of 2018 registered for the
offence under Sections 467, 468 and 420 of the Indian Penal
Code.

Allegation against the petitioner is that being
Chairman of the PACS, she was involved in defalcation for the
procurement year 2017-18.

Learned counsel appearing on behalf of the petitioner



would submit that the petitioner has no criminal antecedent. The petitioner is lady. The petitioner was Chairman of PACS and there is no direct material to suggest that the petitioner has defalcated that amount. It is a complex process of procurement of paddy crops and there is no direct material of any defalcation.

Mr. Shailendra Kumar Singh, learned counsel for the BSFC submits that the petitioner is accountable for total Rs. 33,83,650/-.

Considering the fact that the petitioner is lady and she has no criminal antecedent, the Court is inclined to grant bail to the petitioner on payment of Rs. 1,00,000/- cash. Let the petitioner, above named, in the event of arrest or surrender within one month from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 1,00,000/- (One lac) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 195 of 2018, subject to deposit of Rs. 1,00,000/- cash and further subject to the conditions as laid down under Section 438(2) Cr. P.C.

The deposit of Rs. 1,00,000/- cash shall abide by the



final outcome of the present criminal case.

(Anil Kumar Upadhyay, J)

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