

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40227 of 2019

Arising Out of PS. Case No.-114 Year-2012 Thana- MAHESHKHUNT District- Khagaria

SANJEET KUMAR SINGH @ SANJEET SINGH Son of Ram Chandra Singh Resident of Bhadilya, P.O-Baruna, P.S.-Gogari, District-Khagaria wrongly mentioned in F.I.R. as Ranjeet Kumar Singh

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Food Corporation, Paddy Procurement Centre Rajdhan Maheshkhut, Khagaria. Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Mohan Mishra
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

10 22-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in jail since 24.8.2015 in a case registered for the offences punishable under Sections 406 and 409/34 of the IPC.

The prosecution case, as per the written report of Arvind Kumar Singh, Incharge, Paddy Procurement Centre, Maheshkhoot, submitted to the SHO, Maheshkhoot Police Station is to the effect that the petitioner, being Manager of the Rice Mill, was entrusted with 4176.80 quintals of paddy through



different challans but in his explanation he admitted receiving of only 2678.40 quintals of paddy, as a result, he did not supply the required processed rice and misappropriated the huge quantity of paddy.

It is submitted by learned counsel for the petitioner that the petitioner is the Manager of Supriya Rice Mill. The wife of the petitioner is the actual owner of the mill in question and in fact, the agreement was entered into between the petitioner and the Bihar State Food Corporation (BSFC). The investigation has already been concluded.

Learned counsel for the BSFC submits that the petitioner is the Manager of Rice Mill in question and his wife is the owner of the mill and he has misappropriated the huge quantity of paddy supplied to them.

Considering the nature of accusation, period in custody and the investigation being concluded, let the petitioner above named be released on bail, for the present, provisionally for a period of three months on furnishing bank guarantee to the extent of the amount of paddy alleged to have been misappropriated with one surety to the satisfaction of the learned CJM, Khagaria in connection with Maheshkhut P.S. Case No. 114 of 2012.



However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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