

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- ADAPUR District- East Champaran

Chandrika Prasad Yadav @ Chandrika Yadav, Male, aged about 53 years, Son of Late Yamuna Prasad Yadav, Resident of Village-Chainpur, P.S.-Adapur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate
For the State	:	Mr. Parmeshwar Mehta, A.P.P.
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate
		Mr. Utkar Jha Utpal, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 28-02-2020 Heard learned counsel for the petitioner, the B.S.F.C. and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Adapur P.S. Case No. 185 of 2019 registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

Prosecution case is that the informant Ram Narayan Sah, Co-operative Extension Officer, Adapur has filed a petition before S.H.O., Adapur stating therein that 748 quintals paddy was purchased by Bhairva tola Bhawanipur PACS in Kharif Session 2018-19 till 31.03.2019 and it's C.M.R. about 501.16 Quintals rice had to be deposited to B.S.F.C. after its milling till 31.03.2019, but not a single lot of C.M.R. was deposited by PACS President. On 01.04.2019, Block



Development Officer, Adapur deputed officer by the District and the informant on physical verification found 748 Quintals paddy in the godown of the PACS.

Learned counsel for the petitioner submits that there is no defalcation because 748 Quintals paddy is found in the godown.

Learned counsel for the informant himself has submitted that upon physical verification of PACS godown, entire 748 Quintals paddy is found intact.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Adapur P.S. Case No. 185 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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