

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53738 of 2019**

Arising Out of PS. Case No.-278 Year-2017 Thana- BELHAR District- Banka

RAVINDER MOHAN THAKUR, aged about 62 years, Male, Son of Late Naresh Chandra Thakur, Resident of Village-Chhathar, P.S.- Shambhuganj, Distt - Banka.

... .. Petitioner

Versus

1. The State of Bihar.
2. Bihar State Food Corporation Limited, Bihar, Patna.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Vikram Deo Singh and Md. Najmul Hodda, Advocates.
For the State	:	Mr. Parmeshwar Mehta, A.P.P.
For the B.S.F.C.	:	Mr. Ranjan Kumar Srivastava, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

12 05-01-2021 Heard learned counsel for the petitioner, learned counsel for the B.S.F.C. and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 406, 409 and 420 of the I.P.C.

The prosecution story, in brief, is that the petitioner was an Assistant Godown Manager of Rajpur in the year 2016-17 and on 31.07.2017, a physical verification of the aforesaid Godown was conducted in which no irregularities were found and total 20952.41 quintals of rice was present and verified total 57613.78 quintals of rice were sent to different TPDS Godowns and the rest 4060.69 quintals of rice were lifted in the Godown. The rest rice were also ordered to be taken and Trucks were sent for the same purpose but this petitioner did not pay any heed to



distribute the same. The District Manager personally talked to the petitioner by finding to issue the rest rice and an order dated 13.10.2017 was also issued to the petitioner but even then no rice was dispersed by him. Thereafter, letters dated 17.11.2017, 27.11.2017 and 02.12.2017 were issued to the petitioner for physical verification of the Godown and the petitioner was asked to be physically present for the said physical verification but on all the three dates given by the District Manager, the petitioner remained absent. Thereafter, by the order, the Godown was physically verified in presence of a Magistrate on 05.12.2017 and it was found that total 405838.600 quintals of rice were missing and the total cost of the said rice was Rs. 1,32,47, 505.30. It is further stated that the same was defalcated by the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 01.07.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner was not an Incharge of the Godown in question rather he was given an additional charge to



supervise the Godown in question where shortage of 405838.600 quintals of rice was found. A certificate proceeding is also pending against the petitioner and pensionary benefit of the petitioner has also been withheld. The petitioner is ready to co-operate in the trial.

On behalf of the learned counsels for the B.S.F.C. and the State, it has been submitted that the petitioner is named in the F.I.R. and under the supervision of the petitioner, shortage of rice is said to have taken place.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Banka, in connection with Belhar P.S. Case No. 278 of 2017.

The petitioner is directed to appear on each and every date fixed by the learned court below failing which, learned court below is at liberty to cancel the bail bonds of the petitioner.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

