

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47346 of 2021

Arising Out of PS. Case No.-604 Year-2018 Thana- JOGAPATTI District- West Champaran

Rameshwar Prasad Singh Son Of Raghunath Singh Resident Of Village-
Deshraipur, P.S.- Mahnar, District- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Yogapatti
P. S. Case No.604 of 2018, instituted for the offences under
Sections 406, 409, 420, 467, 468, 471 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 22.03.2021, charge-sheet has been
submitted in this case and has antecedent of two cases.

The learned counsel for the petitioner further submits
that the informant alleges that the petitioner was posted as
Assistant Godown Manager of Yogapatti TPDS Godown and he
was discharged from the work with effect from 01.06.2018 by
BSFC, Head Office with a direction to hand over the charge of
the godown to Savitri Sinha and charge of new gunny bags to



Sri Arun Kumar, but he did not hand over the charge to his successors and fled away taking keys and relevant registers. Thereafter, inventory was prepared in presence of Magistrate deputed by the District Magistrate and it was found that petitioner has caused loss of government foodgrains to the tune of Rs.2,36,12,131.19/-

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Petitioner is a retired employee, who after retirement was given the present job on contractual basis and as such, he could not have even thought of committing such an offence when during his entire career as a government servant, he was never departmentally proceeded or any kind of allegation levelled against him. It is further submitted that the persons, who were asked to take over the charge from the petitioner, did not take charge and there is a calculation mistake also in calculating the loss which has not taken into consideration as stated in Para-19 of the bail application.

Learned A.P.P. opposes the bail application and submits that petitioner, being a contractual employee, was aware that he has no responsibility towards the government and even if he commits an occurrence, he cannot be proceeded



departmentally and no action can be taken against him.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and is a retired government servant, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West Champaran, Bettiah in connection with Yogapatti P. S. Case No.604 of 2018. The petitioner shall be released after framing of charge and if the charges have been framed, the petitioner shall be released forthwith.

The application stands allowed.

(Satyavrat Verma, J)

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