

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53174 of 2015

Arising Out of PS. Case No.-228 Year-2015 Thana- BANKA District- Banka

Uttam Kumar Sah Son of Narayan Sah, Resident of Vijay Nagar, P.S. and District- Banka, Proprietor Maha Lakshmi Rice Mill, Jhirwa, P.S. and District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The B.S.F.C., Banka through District Manager.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	None.
For the Opposite Party/s	:	Mrs. Meena Singh, APP
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-03-2023 No one appears on call although learned counsel for the B.S.F.C. is present.

The present petition has been preferred for quashing of the FIR in Banka P.S. Case No. 228 of 2015 dated 18.04.2015 registered for the offences under Sections 406 and 420 of the Indian Penal Code.

As per the prosecution story, the allegation is that he received 35248.17 quintal of paddy from the S.F.C. for preparing CMR rice @ 67 % and deposited only 12960.00 quintals of rice only. It is alleged that the 10626,27 quintals of rice worth Rs. 2,30,76,792/- are remained with the petitioner to which he in spite of notice, did not deposit in the S.F.C. and



thereby misappropriated and defalcated the government money.
Accordingly, the FIR was lodged.

Considering the kind of allegation that has come in
the FIR certainly it is not a fit case to quash the same and is
accordingly dismissed.

(Rajiv Roy, J)

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