

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28168 of 2023**

Arising Out of PS. Case No.-300 Year-2022 Thana- SAHPUR District- Patna

RAVINDER SINGH @ RAVINDRA KUMAR SINGH SON OF SUDAMA  
SINGH Resident of village - Laxmichack, P.S. - Shahapur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kishore Singh son of Hryadeya Narayan Singh R/o- and Po- Bhadar, Ps- Sikraul (Lakh) Dist- Buxar
3. The Bihar State Food and Civil Supplies Corporation through the District Manager, Patna Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Alka Singh, Adv.             |
| For the Opposite Party/s | : | Mr. Parmeshwar Mehta, APP        |
| For the BSFC             | : | Mr. Shailendra Kumar Sinha, Adv. |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      04-10-2023                      Heard Mr. Alka Singh, learned counsel for the petitioner and Mr. Shailendra Kumar Sinha, learned counsel for the B.S.F.C. and Mr. Parmeshwar Mehta, learned A.P.P. for the State.

The petitioner apprehends his arrest in Sahapur P.S. Case No. 300 of 2022 registered for the offence under Sections 409, 420 and 34 of the Indian Penal Code.

The case relates to defalcation of government money to the tune of Rs. 2,08,62,683/- which is detected during audit for the year 2009-2014 in the Hathiakan PACS of Danapur block.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and



has falsely been implicated in this case. He further submits that on bare perusal of the F.I.R., it appears that the petitioner allegedly defalcated the government fund to the tune of Rs. 55,54,462/- while serving as Chairman of the Hathiya Kandh PACS for the year 2009-2014.

Learned counsel for the petitioner contends that the petitioner is ready to deposit the amount in question for which the petitioner is being prosecuted. He further submits that though a supplementary affidavit to that effect has also been filed on behalf of the petitioner stating therein that he would deposit the amount in question in twenty equal installments but, on verbal instruction, he prays that some more time may be granted to the petitioner.

Learned counsel appearing for the B.S.F.C. submits that he would have no objection even if some more time is granted to the petitioner to deposit the entire amount in question in equal installment but the first installment may be directed to be deposited by this month of October, 2023 by way of a demand draft each to be submitted in the Office of Opposite Party No.2 which is Co-operative Extension Officer, Danapur, Patna so that rights of government may be kept protected.

In view of the aforesaid submission of the parties, the Court in order to create balance of convenience directs the petitioner to deposit the entire amount in question in 24 (twenty



four) equal installments starting from this month itself i.e. October, 2023.

Considering the facts and circumstances of the case and the *bona fide* undertaking of the petitioner, let the, above named, petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Danapur in connection with Sahapur P.S. Case No. 300 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) The petitioner shall deposit the amount of first equal installment of the entire amount in question by way of a Demand Draft in the Office of Opposite Party No.2 before furnishing of bail bonds and the court below shall only accept his bail bonds on production of the receipt issued by the Officer of



Opposite Party No.2.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Needless to say that if the petitioner fails to deposit any of the installment, the informant would be liberty to move before the court below for cancellation of his bail bonds.

**(Rajesh Kumar Verma, J)**

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