

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62161 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- BAHADURPUR District- Patna

Munay Kumar Singh S/O Sri Shambhu Singh R/O Rajbanshi Nagar, P.S.-
Shastrinagar, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
	:	Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP
For BSFC	:	Mr. Shailandera Kumar Singh, Advocate
	:	Ms. Usha Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 24-04-2023 Heard learned senior counsel, Mr. Ramakant Sharma
appearing on behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R. by way of
his designation as Assistant Manager of SFC and apprehended
his arrest in connection with Bahadurpur P.S. Case No. 163 of
2022 corresponding to P.T. No. 2209 of 2022 registered for the
offences punishable under Sections 406, 409, 420 and 120B of
the Indian Penal Code (in short 'I.P.C.').

The allegation against this petitioner is to involve in



committing irregularities and fraud in supply of foodgrains of BSFC along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is falsely implicated in this case and no such occurrence took place in the manner as alleged. It is pointed out that the petitioner at the point of time was posted as Assistant Godown Manager at Mushallampur Hatt. It is submitted that it was the duty of the District Manager and not of the petitioner to report about issuing, Store Issue Order (S.I.O.) after verifying the death of P.D.S. persons, so as to release wheat and rice in the favour of P.D.S. persons. It is also submitted that vide report bearing no. 779 dated 12.04.2022 of District Magistrate, Patna, the transporting agent is responsible in the alleged embezzlement.

Learned APP for the State as well as learned counsel for the BSFC opposes the prayer of bail without disputing the submissions, as advanced above.

Considering the aforesaid facts and circumstances and by taking note of the responsibilities as assigned to this petitioner, the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City/concerned Court, where the case is pending in connection with Bahadurpur P.S. Case No. 163 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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