

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42386 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- Pothia District- Katihar

1. Vikash Kumar S/O Late Upendra Chaudhary R/O Village- Chhohar, P.S.- Pothia, Dist- Katihar
2. Mirtunjay Kumar @ Mirtunjay Kr Rai S/O Patel Kumar R/O Village- Chhohar, P.S. - Pothia, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Prakash Sharma, Advocate
For the State	:	Mr. Dilip Kr. No. 1, APP
For the Informant	:	Mr. Akhauri Kamal Kishore Sahay, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 8 19-11-2024 Heard learned counsel for the petitioners and Mr. Dilip Kr. No. 1, learned APP for the State and learned counsel for the informant.
2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 406, 409, 420/34 of IPC.
3. Allegedly, an enquiry committee inspected a private godown of the petitioners and no paddy was found therein whereas the petitioners has purchased 389.700 MT for the year 2022-23 but as per portal only 170.592 MT was supplied to the miller and remaining 219.108 MT paddy has been misappropriated by the chairman and manager at the rate of Rs. 2065/-per quintal Rs. 45,24,580/- and 20 paise. But only Rs. 2,26,266/- has been deposited by PACS and hence Rs. 43,24, 581/- has been misappropriated by PACS.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is also submitted that award was given by the Central Cooperative Bank and certificate case has also been filed against the petitioners. Petitioners have no criminal antecedent.
5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, and the fact that certificate case is already filed against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Pothiya P.S. Case No.02 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

priyanka/-

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

