

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78827 of 2024

Arising Out of PS. Case No.-283 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Manibhushan Kumar @ Shri Munibhushan Singh S/O Sidheshwar Singh Resident of Village - Semra, Pathkhauliya ,P.S.- Chiraiya ,District- East Champaran.
2. Manoj Kumar Singh Son of Bhagvan Singh Resident of Village - Semra, Pathkhauliya ,P.S.- Chiraiya ,District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-12-2024 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Chiraiya Police Station Case No. 283 of 2024, disclosing offences under Sections 409, 420 and 34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that petitioner no. 1 is the PACS Chairman and petitioner no. 2 is PACS Manager. They procured 5427 quintals of paddy from the farmers in the year 2022-23 from the cash credit account provided by the Cooperative Bank Dhaka branch. Out of the quantity of paddy the C.M.R. equivalent to 2871.30



quintals of paddy were supplied to the State Food Corporation, Motihari and 1204.50 quintals of paddy was not supplied by the petitioners and thereby they have embezzled sum of Rs. 21,87,292/-.

4. Learned counsel for the petitioners submits that due to some unavoidable circumstances the paddy could not be supplied. However, the petitioners are ready to deposit the value of the paddy which was not supplied amounting to Rs. 21,87,292/- in the concerned Bank Account. He further submits that out of the aforesaid amount of Rs. 21,87,292/- the petitioners have already deposited Rs. 3,81,000/- and the balance amount of Rs. 18,06,292/- shall be deposited/refunded by the petitioners in four installments. Out of which the first installment of Rs. 451573/- shall be deposited by the petitioners at the time of furnishing bail bonds and the remaining three installments shall be paid within a period of six months.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioners have already deposited Rs. 3,81,000/- and they are ready to deposit the balance amount of Rs. 18,06,292/- in four installment within six months, I am inclined to grant the petitioner privilege of anticipatory bail, subject to the condition



that they will refund/deposit the balance amount of Rs. 18,06,292/- in four installments and shall deposit the first installment of Rs. 4,51,573/- on or before the date of furnishing bail bond.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Sikrahana at Dhaka, East Champaran, Motihari, in connection with Chiraiya Police Station Case No. 283 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Anil Kumar Sinha, J)

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