

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83563 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- PURAINI District- Madhepura

1. Kalpana Devi Wife of Mankeshwar Sah Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
2. Sima Devi @ Seema Devi wife of Sanjan Sah Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
3. Jyoti Devi Wife of Ajay Chaudhary Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
4. Sridhar Mandal Son of Rajendra Mandal Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
5. Pankaj Singh @ Pankaj Kumar son of Late Rajdeo Singh Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
6. Naresh Sah son of Late Kasturi Sah Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
7. Om Prakash Singh son of Late Bandelal Singh Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura
8. Md. Nasim @ Shekh Naseem Son of Md. Ahmad @ Shekh Ahmad Resident of village- Post Nayatola ward no. 1, PS -Puraini District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners, learned
APP for the State.

2. Learned counsel for the petitioners is permitted to
make some necessary correction in his bail petition.

3. The instant application for anticipatory bail have
been filed by the petitioners apprehending their arrest in



connection with Puraini P.S. Case No. 164/2024, registered for the offence under Sections 318(4),316(5) BNS.

4. The case of the prosecution is that the concerned Pax should have 3621.63 quintal of Pax paddy with it worth Rs. 7996559.04/-, but this paddy was not found in the *godown* of the Pax. It is alleged that the Chairman of the Pax have sold the paddy in open market and has embezzled the government money.

5. Learned counsel for the petitioners submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. During the course of hearing learned counsel for the petitioners has submitted that from the perusal of the FIR itself, it is clear that all the allegation is against the Chairman, whereas these petitioners are members of the Pax Nardah. They have also undertaken to deposit the entire due amount to the bank and to supply rice to the S.F.C. provided the identified rice Mill co-operates to supply the rice. From FIR itself, it is clear that the main thrust of allegation against the Chairman of the Pax and allegation against these petitioners is that this matter was not discussed in the meeting. There is no allegation of embezzlement against these petitioners.



6. In contra, learned APP appearing for the State has opposes the prayer of bail of the petitioners.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court are inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Puraini P.S. Case No. 164/2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) on each of them with two sureties of the like amount each to the satisfaction of learned ACJM-I Udakishunganj, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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