

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2661 of 2025

Arising Out of PS. Case No.-192 Year-2024 Thana- CHHAURADANO District- East
Champaran

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Ramvinay Kumar @ Ramavinay Kumar Son of Dinanath Prasad Resident of
Village- Kudarkat, P.S.- Chhauradano. Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 15-02-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Chhauradano Police Station Case No. 192 of 2024, disclosing offences under Sections 408, 409, 420 and 34 of the Indian Penal Code.

3. The prosecution case, as per the allegation, altogether 4697 quintal paddy was purchased during the kharif year 2023-2024 by the PACS and out of which 174 MT CMR has been provided to SFC. It has further been alleged that 145 MT of CMR has not yet been provided to SFC by the PACS in which the petitioner is a Chairman. In the physical verification of the Godown, it has come to light that petitioner along with



manager of PACS have embezzled the paddy to the tune of 258.575 quintal equivalent to a sum of Rs. 56,44,692.25/-.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence as alleged and it is true that total purchase of paddy by the PACS in question was 4697, out of which 2533.5 quintal of paddy was sent to Akash Rice Mill and rest 2163.5 quintal paddy was to be sent in the Rice Mill till 22.09.2024. The First Information Report has been lodged by the informant prior to cutt-of date fixed for supply of CMR which was extended till 22.09.2024. Learned counsel further submits that CMR equivalent to 2533.5 quintal of paddy has been delivered in the godown of SFC and receipt thereof has been attached at Annexure-2/1. The petitioner is ready to make payment of Rs. 4722920.5/- in 12 installments, i.e., price of the paddy equivalent to 2163.5 quintal. Learned counsel further submits that if any further amount is found payable against the price of the paddy/CMR as per the record, the petitioner shall also pay the same to the concerned bank/authority.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the undertaking given by the petitioner that he is ready to pay Rs. 4722920.5/- in 12 installments and further to pay remaining amount if found



payable as per the record, I am inclined to grant anticipatory bail to the petitioner, subject to the condition that petitioner shall pay Rs. 4722920.5/- in 12 installments in the concerned bank account and the first installment of Rs. 393,576.70/- shall be paid by the petitioner at the time 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Motihari, East Champaran, in connection with Chhauradano Police Station Case No. 192 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further condition as mentioned hereinabove.

(Anil Kumar Sinha, J)

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