

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80880 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- KUDHNI District- Kaimur (Bhabua)

=====

DHANANJAY SINGH @ DHANANJAY RAY SON OF JAY NANDAN
RAY RESIDENT OF VILLAGE- PARIYARI, P.O.- MAHILA, P.S.-
KUCHHILA, PARIARI, DISTT.- KAIMUR (BHABUA), BIHAR- 802132.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Co-operative Extension Officer, Nuan, Kaimur, Dist.- Kaimur Bihar
3. District Manager Bihar State Food and Civil supplies Co-operative, Kaimur

... .. Opposite Party/s

=====

with
CRIMINAL MISCELLANEOUS No. 3742 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- KUDHNI District- Kaimur (Bhabua)

=====

GAJENDRA KUMAR PANDEY SON OF AWADH BIHARI PANDEY
RESIDENT OF VILLAGE - PARIYARI, P.O. - MAHILA, P.S. - KUCHHILA
PARIARI, KAIMUR (BHABHUA), BIHAR - 802132

... .. Petitioner/s

Versus

1. The State of Bihar
2. Co-Operative Extension Officer, Nuaun, Kaimur, District - Kaimur Bihar

... .. Opposite Party/s

=====

Appearance :
(In CRIMINAL MISCELLANEOUS No. 80880 of 2024)

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate
	:	Mr. Amrendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate
	:	Mrs. Shilpi Singh, Advocate
	:	Mr. Aayush Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 3742 of 2025)

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate
	:	Mr. Amrendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 25-06-2025 Heard the parties.



2. The petitioners apprehend their arrest in connection with Kudhani P.S. Case No. 30 of 2024 instituted for the offences under Sections 316(5), 318(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution in short is that 4644.7 qts of paddy was entrusted to the President and Manager of PACS and as against the said paddy only 3190 qt CMR was supplied to the Bihar State Food Corporation and thereafter, despite directions, the remaining CMR was not supplied nor the godown where the paddy was stored was opened by the accused for its verification and lastly the allegation is of embezzlement of 7285.25 qts amounting to Rs 1,60,85,832/- (one crore sixty lakhs eight five thousand eight hundred and thirty two rupees) has been embezzled as no paddy was found stored in the godown.

4. Learned counsel for the petitioners submitted that petitioners are innocent and have falsely implicated in this case. Learned counsel further submitted that petitioners are not involved in any embezzlement and nor any such amount has been misappropriated, rather the present case has been instituted in order to harass the petitioners. Learned counsel further submitted that petitioner namely, Dhananjay Singh has one criminal antecedent whereas petitioner namely, Gajendra Kumar



Pandey has no criminal antecedent. However, after arguing at length, learned counsel for the petitioners submitted that both the petitioners, if released on bail, are ready to pay the embezzled amount, i.e. Rs. 1,60,85,832/- jointly, in the office of District Cooperative Officer, Kaimur in 24 equal installments which will be subject to the outcome of the trial and the petitioners have also filed supplementary-affidavits in this regard.

5. Learned A.P.P. for the State and Opposite Party Nos. 2 and 3 did not raise any objection to the prayer made on behalf of the petitioners for returning the embezzled amount.

6. Considering the facts and circumstances of the case as also the fact that both the petitioners are ready to return the embezzled amount, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of arrest/surrender before the lower court within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kudhani P.S. Case No. 30 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023 as also the following conditions:

(i) Petitioners shall, jointly, deposit Rs. 10 lakhs, in the Office of District Cooperative Officer, Kaimur at the time of furnishing bail bonds by way of issuing demand draft.

(ii) The rest of the embezzled amount, i.e. Rs. 1,50,85,832/- , shall be deposited in 24 equal installments of Rs. 6,28,576/- each on 5th of every month jointly by the petitioners in the Office of District Cooperative Officer, Kaimur.

(iii) If the petitioners fail to deposit any of the installments, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

8. It goes without saying that the aforesaid amount to be deposited by the petitioner shall be subject to the final outcome of the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

