

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8519 of 2025

Arising Out of PS. Case No.-22 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Birendra Prasad @ Virendra Prasad S/o Ramkhelawan prasad Resident of
Village- Siraha, P.S.- Pakridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Ray, Advocate
For the State	:	Mr. Md. Aslam Ansari, A.P.P
For the BSFC	:	Mr. Nirmal Kumar, Advocate Mr. Lokesh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 28-05-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing for Bihar
State Food & Civil Supply Corporation Ltd.

2. The petitioner seeks regular bail in connection with
Pakridayal P.S. Case No. 22 of 2024 lodged on 22.01.2024, for
the offence punishable under Sections 406, 409 & 420 of the
Indian Penal Code.

3. As per the First Information Report, the allegation
against the petitioner who is the Chairman of the PACS is that
he has committed embezzlement of money amounting to Rs.
66,18,446/- (Rupees Sixty Six Lacs Eighteen Thousand Four
Hundred Fourty Six), as he has not deposited the rice worth the
said amount.



4. Learned counsel for the petitioner submits at the outset that he has made a specific averment in paragraph no.12 of the present application that he is ready to supply the rest CMR or ready to make the payment in installments. In such view of the matter, learned counsel appearing on behalf of petitioner once again orally submits that the petitioner is agreeable on paying the amount in question i.e. Rs. 66,18,446/- but in easy installments. It has also been submitted that the petitioner is in custody since 13.11.2024.

5. Learned counsel for the BSFC opposes the prayer for bail of the petitioner but submits that if, petitioner is ready to deposit the entire amount in question, then his bail application may be considered.

6. As such, considering the present facts and circumstances of the case, this Court finds it fit to grant **provisional bail** to the petitioner for a period of five months in which the payment of entire amount as mentioned above would be made in five equal installments by way of Bank Draft, and on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-8, Motihari, East Champaran, in connection with Pakridayal P.S. Case No. 22 of



2024.

7. It is made clear that the provisional bail granted to the petitioner by this Court shall be confirmed by the learned trial court concerned only upon showing the substantial proof of payment of the entire amount in question i.e. Rs. 66,18,446/- by the petitioner within the stipulated period. However, it is also made clear that if, the said payment is not made within the said period, the provisional bail granted to the petitioner by this Court would automatically stand cancelled and coercive steps would be taken against the petitioner to put him back into custody.

8. Accordingly, this bail application is hereby disposed off.

(Soni Shrivastava, J)

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