

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6857 of 2025

Arising Out of PS. Case No.-226 Year-2024 Thana- PATAHI District- East Champaran

1. Chanda Devi @ Smt. Chanda Devi W/O Paras Nath Singh (Pacs President)
R/O Village- Patahi Purvi, P.S.- Patahi, Dist.- Motihari.
2. Sudhir Kumar Singh @ Sudheer Kumar S/O Paras Nath Singh (Manager)
R/O Village- Patahi Purvi, P.S.- Patahi, Dist.- Motihari.

... .. Petitioners

Versus

1. The State of Bihar and
2. The Managing Director, Bihar State Food Corporation, Patna

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s :	Mr.Ram Anurag Singh, A.P.P.
For the BSFC	Mr. Shailendra Kr.Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-03-2025 Heard learned counsel for the petitioner, the State and the BSFC.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420, 506/34 of the Indian Penal Code.

3. As per the prosecution case, informant Senior Black Co-Operative Extension Officer, Patahi filed a written application before the SHO of Patahi, Police Station stating therein that in the Kharif marketing year 2023-24, Patahi East PACS, Patahi Block purchased 288.40 MT paddy, which is equivalent to 196.11 MT CMR. The committee has provided only 29 MT CMR to SFC Motihari and remaining 167.11 MT CMR was not provided to State Food Corporation. It is further alleged that on the oral direction of District Co-operative Officer, a physical verification of PACS godown of Patahi East PACS was conducted by the informant and on verification, paddy was not found there, which shows that 245.70 MT paddy,



equivalent to Rs. 53,63,631/-, was embezzled by the petitioners and others.

4. It is submitted on behalf of the petitioners that without admitting the guilt and without prejudice to right and contention, petitioners are ready to deposit Rs. 53,63,631/- in the Loan Account of Central Co-operative Bank, Motihari, subject to outcome of the case.

5. Learned counsel for the Corporation does not controvert this submission.

6. Considering the aforesaid facts of the case, prayer for bail of these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let both the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Motihari, East Champaran in Patahi Police Station Case No. 226 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 5,63,631/- lacs shall be deposited by the petitioners in the Loan Account of Central Co-operative Bank, Motihari.

(ii) Rest amount of Rs. 48 lacs shall be deposited by the petitioners in the aforesaid account in 12 equal installments within two years thereafter.

(iii) If the petitioners fail to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioners.

7. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of



grant of bail and this deposit would be subject to the final result of the criminal case.

(Prabhat Kumar Singh, J)

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