

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8516 of 2025

Arising Out of PS. Case No.-292 Year-2024 Thana- NAUTAN District- West Champaran

Vijay Kumar S/O Bhikhari Prasad Kushwaha @ Bhikhari Prasad Resident of
Vill.- Khap Tola, P.S- Nautan, Dist.- West Champaran

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the BSFC, Mr. Shailendra Kumar Singh.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 316(5), 318(4) of BNS and Section 7 of E.C. Act.
3. Learned counsel for the petitioner, at the outset, submits that he is not pressing the case on merits. It is next submitted that petitioner is Manager of Western Nautan PACS while his father Bhikhari Prasad was the Chairman who is in custody.
4. It is next submitted that in sum and substance the



allegation against the accused persons is that the PACS for the *Kharif* season 2023-24 had purchased 3464 quintals of paddy till 15.02.2024 accordingly in terms of the government instructions, the PACS had to deposit 68% of custom milled Rice (CMR) in the godown of the State Food Corporation, Bettiah, but then the same was not deposited and on inquiry it was found that 3042 quintals of paddy of the Corporation was missing from the PACS, as such, it was alleged that an amount of Rs. 67,16,736/- was misappropriated by the accused persons.

5. The learned counsel appearing on behalf of the petitioner submits that no doubt petitioner has his defence, but then the petitioner is willing to credit the amount of Rs. 67,16,736/- in the account of the State Food Corporation but in installments. It is next submitted that petitioner will deposit an amount of Rs. 3,00,000/- (Rupees Three Lacs) per month in the District Co-operative Bank, Bettiah which shall commence from 02.04.2025 as such the entire amount shall be credited in the account of State Food Corporation within a period of twenty one months from 02.04.2025.

6. The learned counsel appearing on behalf of the BSFC fairly submits that no useful purpose would be served by sending the petitioner to jail when petitioner is willing to



redeem the SFC of its loss.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nautan P.S. Case No. 292 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that the Bihar State Food and Civil Supplies Corporation shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner in the event the petitioner does not deposit the amount as agreed or defaults in depositing the amount in any month.

(Satyavrat Verma, J)

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