

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20075 of 2025

Arising Out of PS. Case No.-209 Year-2024 Thana- CHHAURADANO District- East
Champaran

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1. Rina Devi W/O Rakesh Singh R/O Vill.- Gonahi, P.s.- Chhauradano, District- East Chanparan
 2. Ramesh Malli S/O Mohan Malli R/O Vill.- Gonahi, P.s.- Chhauradano, District- East Chanparan
 3. Kusami Devi W/O Rajendra Mukhiya R/O Vill.- Gonahi, P.s.- Chhauradano, District- East Chanparan
 4. Rubita Devi @ Rabita Devi W/O Vikash Patel R/O Vill.- Gonahi, P.s.- Chhauradano, District- East Chanparan
 5. Sundar Kali Devi W/O Ramjit Thakur R/O Vill.- Gonahi, P.s.- Chhauradano, District- East Chanparan
 6. Gyanendra Kumar Gyandendra Kumar S/O Chandeshwar Mishra R/O Vill.- Gonahi, P.s.- Chhauradano, District- East Chanparan

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 14-08-2025 1. Heard the parties.

2. The petitioners apprehends their arrest in connection with Chhauradano P.S. Case No. 209 / 2024 dated 30.08.2024 registered under Sections 408, 409 and 420 / 34 of the I.P.C.

3. The prosecution case in brief as per the written application of the informant - Gopal Kumar, Co-operative Extension Officer at Chhauradano Block is that Khairwa PACS, Chhauradano Block had purchased 513 M.T. of paddy in Kharif marketing season of year 2023-24 out of which 174 M.T. rice has been



supplied to State Food Corporation by the Committee after milling and the remaining 174.84 M.T. C.M.R. has not yet been supplied to S.F.C. during the purchasing period from 16.12.2023 to 15.02.2024. It is further alleged that as per verbal order of the Sub Divisional Officer, Raxaul the informant conducted the physical verification of remaining 299.50 M.T. paddy in Khairwa PACS godown as per the portal and the quantity of paddy in the said godown was found to be zero which clearly shows that 299.50 M.T. paddy has been embezzled by the Chairman of Committee Naushad Alam and Manager Raj Kumar Singh which was total of Rs. 65,38,085/-. It is further alleged that these petitioners and other co-accused persons have embezzled the government money to the tune of Rs. 65,38,085/-

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence in the manner alleged. He next submits that petitioners are elected members of the Executive Committee and they are only concerned with the policy decision taken in the Committee. The sale and purchase of paddy / CMR rice are the primary duty of Chairman and the Manager. In the F.I.R. it is specifically alleged that PACS Chairman Naushad Alam and Manager have



misappropriated the paddy / amount equivalent to it. The Executive Committee members are not the custodian of the godown where the purchased paddy is kept and CMR equivalent to the paddy is provided to the BSFC. It is further submitted that PACS Chairman Naushad Alam has been granted privilege of provisional anticipatory bail by this court subject to deposit of misappropriated amount vide order dated 18.12.2024 passed in Cr. Misc. No. 87083 of 2024 (Annexure-02).

5. Learned counsel for the state submits that the petitioners are named in the F.I.R. and they are Executive Members of the PACS in question. A huge amount of Rs. 65,38,085 /- has been misappropriated by the PACS Chairman Naushad Alam and Manager- Raj Kumar Singh.

6. Regard being had to the submission made by the parties, taking into consideration the fact that PACS Chairman and Manager are custodian of paddy and supply of CMR rice and the petitioners are only elected members of the Executive Committee, as such, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M. Raxaul at Motihari East Champaran in connection with Chhauradano P.S. Case No. 209 / 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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