

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21680 of 2025**

Arising Out of PS. Case No.-119 Year-2024 Thana- THAKURGANJ District- Kishanganj

Shahanwaz Alam @ Mohammad Shahnwaz Alam @ Md. Shahanwaz Alam  
S/o- Jamaluddin Village- Jalmilik Gunjarmari PS- Thakurganj, Dist-  
Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar Block Co-operative officer, P.S- Thakurganj, District-  
Kishanganj.

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                             |
|----------------------|---|-------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Mritunjay Kumar, Adv.                                   |
| For the State        | : | Mr. Anant Kumar 1, APP                                      |
| For the BSFC         | : | Mr. Shailendra Kumar Singh, Adv.<br>Mr. Utkarsh Utpal, Adv. |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

5      11-07-2025      Heard learned counsel for the petitioner, learned APP for  
the State and learned counsel appearing for the Bihar State Food  
Corporation Limited.

2. The petitioner seeks bail in a case registered for the  
offences punishable under Sections 318(4), 316(5), 316(3),  
61(2) of the BNS, 2023.

3. The allegation in the FIR is that a total quantity of  
313.9 metric tons of paddy worth Rs. 68,52,437/- has been  
misappropriated by the accused persons including the petitioner  
who is the Manager of the PACS along with others.

4. Learned counsel for the petitioner submits that the



responsibility with regard to misappropriation cannot be fixed solely upon the petitioner, yet he is agreeable to deposit half the amount of Rs. 68,52,437/- which is the value of 313.9 metric tons of paddy. The half of the said amount i.e. Rs. 34,26,218/- has already been undertaken to be paid by co-accused Vijay Kumar Singh who was the Chairman of PACS and on such ground, he had been granted provisional bail vide order dated 08.05.2025 passed in Cr. Misc. No. 1111 of 2025. The petitioner herein also agrees to deposit the same amount in installments in the concerned Cooperative Bank. It is also pointed out by learned counsel for the petitioner that the petitioner has been languishing in custody since 11.01.2025 with no criminal antecedent.

5. Taking into consideration the bona fide and fair stand of the petitioner, I am inclined to grant the privilege of **provisional bail** to the petitioner upon making a payment of Rs. 2,00,000/- as first installment, a receipt of which would be shown at the time of furnishing of the bail bonds. Thereafter, the rest of the amount would be paid in installments within a total period of 15 months from the date of furnishing of the bail bonds. It goes without saying that after the entire payment of the amount of Rs. 34,26,218/- is made by the petitioner, the



provisional bail granted to the petitioner would be confirmed by the learned court below. It is also made clear that the learned Court concerned would fix a schedule of payment in small intervals to ensure that the payments are made regularly and expeditiously.

6. Considering the facts and circumstances of the case, let the above named petitioner be enlarged on **provisional bail** on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Thakurganj P.S. Case No. 119 of 2024.

7. Accordingly, the application is disposed of.

(Soni Shrivastava, J)

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