

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53184 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- BIHTA District- Patna

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1. Madhuri Devi W/O Mukti Nath Sharma @ Umukita Nath Kumar R/O Nathupur Doghara, P.S.- Doghara, Bihta, Dist.- Patna, (Chairman)
 2. Ramji Saw @ Ramji Sao S/O Dipa Saw R/O Nathupur, P.S.- Doghara, Bihta, Dist.- Patna, (Manager)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Co-Operative Extension Officer, Block- Bihta, Dist.- Patna Bihar
3. The Chairman, Bihar State Food Corporation (BSFC) Patna, Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51205 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- BIHTA District- Patna

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1. Arvind Kumar Son of Umeshwar Sharma Resident of Nathupur, P.S.- Bihta, Dist.- Patna
 2. Yogendra Singh Son of Late Kharchu Singh Resident of Kunjwa, P.S.- Bihta, Dist.- Patna
 3. Sunita Devi Wife of Late Nand Kumar Sharma Resident of Nathupur, P.S.- Bihta, Dist.- Patna
 4. Indradev Paswan Son of Hardev Paswan Resident of Nathupur, P.S.- Bihta, Dist.- Patna
 5. Shanti Devi Wife of Janak Dev Sharma Resident of Nathupur, P.S.- Bihta, Dist.- Patna
 6. Devanti Devi wife of Sukhnandan Mochi Resident of Nathupur, P.S.- Bihta, Dist.- Patna
 7. Sangeeta Devi Wife of Shyam Babu Singh Resident of Kunjwa, P.S.- Bihta, Dist.- Patna
 8. Somariya Devi Wife of Dinesh Saw Resident of Nathupur, P.S.- Bihta, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Co-operative Extension Officer, Block- Bihta, Dist.- Patna Bihar
3. The Chairman, Bihar State Food Corporation (BSFC) Patna, Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53184 of 2025)

And

(In CRIMINAL MISCELLANEOUS No. 51205 of 2025)

For the Petitioners : Mr. Aditya Nath Pandey, Adv.

For the State : Mr. Pramod Kumar Pandey, APP

For the B.S.F.C. : Mr. Shailendra Kr. Jha, Adv.

Mr. Utkarsha Utpal, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2025 Heard learned counsel for the petitioners, Mr. Pramod Kumar Pandey, learned A.P.P. for the State and learned counsel appearing on behalf of opposite party/B.S.F.C in both these cases.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 409, 420, 379 and 34 of the Indian Penal Code.

3. The prosecution case, as per written report of informant, who is Co-Operative Extension Officer, in brief, is that in the year 2022-2023, the Kunjwa PACS under Bihta block was provided government fund from the Patliputra Central co-operative Bank and Last date for supply of CMR was 30.09.2023. However, the Kunjwa PACS neither supplied CMR nor returned amount. It is alleged that chairman and Manager of Kunjwa PACS namely Madhuri Devi and Ramji Saw (petitioners in Cr.Misc. No.53184/2025), in connivance with



other members of PACS (petitioners in Cr.Misc. No. 51205/2025), out of total purchased paddy i.e. 8125.9 quintal, sold 4317.21 quintal paddy in the open market and thus, embezzled the government fund amounting to Rs. 1,01,44,511/-.

4. Learned counsel for the petitioners submits that due to some unavoidable circumstances, the paddy could not be supplied, however petitioners are ready to deposit the alleged amount i.e. Rs. 1,01,44,511/- in the concerned bank account. He further submits that at the time furnishing bail-bonds, petitioners shall deposit 20% of the alleged defalcated amount i.e. Rs. 20,28,902/-. Petitioners claim clean antecedent.

5. Learned counsel appearing on behalf of B.S.F.C. does not oppose the prayer for anticipatory bail on the point of payment of alleged embezzled government fund.

6. Having regard to the submission made on behalf of petitioners in both cases and taking into consideration the fact that petitioners, who are Chairman and Members of Kunjwa PACS, are ready to deposit the aforesaid amount of Rs. 1,01,44,511/-, this Court is inclined to extend the privilege of anticipatory bail to the petitioners of both cases, subject to condition that at the time furnishing bail-bonds, petitioners shall deposit 20% of the alleged defalcated amount i.e. **Rs.**



20,28,902/- (Rupees twenty lakhs twenty eight thousand nine hundred two only) and rest amount i.e. **Rs. 81,15,609/-** (Rupees eighty one lakhs fifteen thousand six hundred nine only), the petitioners shall deposit in 13 equal installment of **Rs. 6,24,277/-** (Rupees six lakhs twenty four thousand two hundred seventy seven only) within 13 months from the date of furnishing bail-bonds.

7. Both the aforesaid bail petitions are, accordingly, allowed.

8. Let the petitioners in both the aforesaid cases, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate 1st, Danapur (Patna) in connection with Bihta P.S. Case No. 241 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S., 2023, with condition, as mentioned in paragraph – 6 hereinabove.

(Prabhat Kumar Singh, J)

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