

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52433 of 2025

Arising Out of PS. Case No.-201 Year-2024 Thana- BHAWANIPUR District- Purnia

Rajesh Kumar S/O Naresh Prasad Mandal @ Naresh Mandal Village- Sripur,
P.S.- Bhawanipur, Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Bhawanipur PS Case No. 201 of 2024 dated 20.10.2024,
instituted under Sections 316(5), 318(4), 3(5) of the B.N.S.,
2023.

3. The allegation against the petitioner who is the
chairman of Sripurmileeck PACS, is that he along with other
accused person has not delivered 58.88 M.T. C.M.R. Rice to the
Bihar State Food Corporation, Purnea in lieu of 86.60 Metric
Ton Paddy, which amounts to defalcation of Rs. 19,12,128/-.

4. Learned counsel for the petitioner submits that,
now, the petitioner is ready to return Rs. 19,12,128/- to the
District Co-operative Officer, Purnea.



5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, this Court is of the view that since the petitioner has become ready to refund the amount of Rs. 19,12,128/- to the District Co-operative Officer, Purnea, the petitioner deserves to be released on bail subject to payment of rupees three lakhs at the time of furnishing bail bonds and the remaining amount in six installments.

7. Let the petitioner be released on provisional bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned C.J.M., Purnea/ Successor Court in Bhawanipur PS Case No. 201 of 2024 subject to the following conditions:-

(I) That the petitioner shall deposit rupees three lakhs to the District Co-operative Officer, Purnea through Demand Draft before furnishing bail bonds in the trial Court.

(II) That the remaining amount of Rs. 1,16,12,128/- shall be paid in the office of District Co-operative Officer, Purnea through Demand Draft in six equal installments within six months from the date of furnishing bail bonds.

(III) That the Court below upon deposit the Demand



Draft(s) as aforesaid shall handover the same to the District Co-operative Officer, Purnea on proper verification.

(IV) That if the petitioner fails to deposit any of the installment as aforesaid, the bail bond of the petitioner shall stand cancelled.

(V) That upon payment of the entire amount i.e., Rs. 19,12,128/- to the District Co-operative Officer, Purnea by the petitioner, the provisional bail of the petitioner shall be confirmed by the Court below itself.

(Khatim Reza, J)

Sankalp/-

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