

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60397 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- FORBESGANJ District- Araria

Shyam Ray Son of Sudhan Ray Resident of Village - Matiyari, Ward No.- 04,
P.S.- Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chairman, Bihar State Food Corporation, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Rakesh Kumar Tiwary, Adv.
For the State	:	Mr.Parmeshwar Mehta, APP
For the BSFC	:	Mr.Shailendra Kumar Singh, Adv. With Mr.Utkarsha Utpal, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 17-12-2025 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel appearing on behalf of

opposite party no. 2/B.S.F.C.

2. The petitioner apprehends his arrest in a case
punishable for the offence under Section 7 of the Essential
Commodities Act, 1955.

3. As per F.I.R., petitioner, who was chairman of
Matiyari PACS, is alleged to have misappropriated 46.22 quintal
wheat and 69.06 quintal rice including an Irish scanner,
amounting to Rs. 4,02,762/-.

4. At the outset, without admitting the allegation made
in the F.I.R. by filing supplementary affidavit, learned counsel



for the petitioner submits that petitioner is ready to refund the alleged aforesaid money in the office of opposite party no. 2 in easy installments, for which, learned counsel for the opposite party no. 2 does not oppose.

5. In the facts and circumstances of this case, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 90 of 2025, subject to condition as laid down under Section 482 of the B.N.S.S. with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit **Rs. 2,00,000/-** (two lacs) through Bank Draft in the office of District Manager, B.S.F.C., Forbesganj (Araria)/concerned office.

(B) Rest amount i.e. Rs. 2,02,762/- shall be deposited in the office of District Manager, B.S.F.C., Forbesganj (Araria)/concerned office through Bank Draft in 4 (four) installments within a period of one year from the date of furnishing bail-bond.

(C) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”



6. It is made clear that aforesaid order has been passed only for the purpose of consideration of prayer for anticipatory bail of petitioner without going into the merit of the case.

(Prabhat Kumar Singh, J)

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