

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70213 of 2025

Arising Out of PS. Case No.-21 Year-2016 Thana- FALKA District- Katihar

Narendra Singh S/o- Mahavir Singh Proprietor of M/s Piyus Raw Rice Mill,
R/o Village- Tunnidighi PS- Tunnidighi, Dist- North Dinajpur West Bengal

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Limited Katihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Alka Singh, Advocate
For the State	:	Ms. Anita Kumari, APP
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-11-2025 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the B.S.F.C..

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406, 409 and 420 of the Indian Penal Code.

3. As per prosecution case, informant, who is Executive Assistant of the State Food Corporation accepted the offer given by the accused persons, including this petitioner, to take delivery of the paddy, convert the same into rice and thereafter, deliver it to the S.F.C. and thus, by different trucks, the accused persons came to the S.F.C. paddy storage and took delivery of 3736.05 quintals paddy. However, it is alleged that



the accused persons did not supply back 722.25 quintals paddy collected by them for milling and thereby defalcating paddy worth Rs. 12,00,000/-.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The informant himself is an accused in Falka P.S. Case No. 324 of 2014 which was instituted by the F.C.I. for defalcation of paddy and only with a view to save his skin from the aforesaid case, this false and concocted case has been lodged against the petitioner. As a matter of fact, the entire defalcation was done by the officials of the F.C.I. and S.F.C.. It is further submitted that the F.C.I. itself has issued a certificate vide Letter No. 311 dated 25.02.2015 (copy of which is Annexure P/5 to this bail application) whereby the petitioner was given clean chit to him and has issued N.O.C. along with M.C.R.. Petitioner claims clean antecedents.

5. Learned APP appearing on behalf of the State and learned counsel for the B.S.F.C. have vehemently opposed the prayer for grant of bail to the petitioner. However, the B.S.F.C./Opposite Party No. 2 has filed a counter affidavit in this case but has not disputed the contentions raised on behalf of the petitioner.



6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials that have surfaced during course of investigation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 C.J.M., Purnea in connection with Falka P.S. Case No. 21 of 2016, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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