

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74544 of 2025

Arising Out of PS. Case No.-100 Year-2024 Thana- SIWAIPATTI District- Muzaffarpur

Manoj Kumar Singh S/o Ranjeet Singh Resident of village- Haraiya,
Chhapra(Harhiyan Chhapada),P.S- Siwaipatti District- Muzaffarpur, Bihar-
843128

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Govind Raj Shahi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Govind Raj Shahi, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Siwaipatti P.S. Case No. 100 of 2024, F.I.R.
dated 01.08.2024 for the offences punishable under Sections
338, 336(3), 318(4), 3(5) of the Bhartiya Nyay Sanhita, 2023
and Section 7 of Essential Commodities Act, 1955.

3. As per the prosecution case, the informant Rupesh
Kumar Pandey, Co-operative Extension Officer, Minapur,
Muzaffarpur, alleged that under Minapur Block, Belahilachhi
PACS (Primary Agricultural Credit Society) Chairman Manoj
Kumar Singh and PACS Manager Dinesh Kumar had purchased



a total of 844.50 quintal (equivalent to Rs. 18,64,656) of paddy/*dhan* during the Kharif Season year 2023-24. Belahilachhi PACS was linked to Bhimseria Agro Rice Mill, Bela, Muzaffarpur by the Bihar State Food Corporation, Muzaffarpur for supply of Custom Milled Rice (C.M.R.). However, the Chairman and Manager did not show interest in supplying the equivalent 580 quintal of C.M.R. Physical verification of the paddy was conducted on 26.07.2024 at the notified storage site, where both the Chairman and Manager were absent and the paddy was not found. Based on the District Officer's letter dated 26.07.2024 and District Co-operative Officer's letter dated 23.07.2024, a request for lodging FIR was made against the Chairman and Manager, as *prima facie*, 844.50 quintals of paddy appears to be embezzled.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It is alleged that Petitioner being Chairman and PACS Manager Dinesh Kumar have misappropriated a total of 844.50 quintal [equivalent to Rs. 18,64,656 (Rs. Eighteen lakh sixty four thousand six hundred fifty six)] of paddy/*dhan* during the Kharif Season year 2023-24. However, it is submitted that the petitioner has deposited the



amount in question by cash on 07.09.2024, 03.10.2024 and 11.07.2025 and altogether the petitioner has paid Rs.20,80,849/- (Rupees Twenty lakhs eighty thousand eight hundred forty nine) including the interest amount and the Bank in question has already issued no dues certificate on 11.07.2025 which suggest that the petitioner has already deposited the amount in question.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he has deposited the amount in question along with interest in the Bank, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XII, Muzaffarpur in connection with Siwaipatti P.S. Case No. 100 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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