

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74669 of 2025

Arising Out of PS. Case No.-444 Year-2024 Thana- DARAUNDA District- Siwan

Sushil Kumar Singh Son of Gauri Shankar Singh Village -Karsout, PS-
Daraunda District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner and Mr. Parmeshwar Mehta, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Daraunda P.S. Case No. 444 of 2024, F.I.R. dated 04.10.2024
for the offences punishable under Sections 316(5), 318(2), 3(5) of
the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution case, a self-written report was
submitted by Sri Lokesh Kumar, Block Operative Extension
Officer, Daraunda, before the Daraunda police on 4th October
2024. The informant has stated that during the marketing year
2023-24, the Chairman of Karsaut PACS, Sri Sushil Kumar Singh,
procured a total of 255.80 metric tons of paddy crops from
farmers, having an equivalent value of Rs. 171.39 metric tons



(CMR). It has been stated that by 30th September 2024, only 116.00 metric tons of CMR had been supplied to SFC Siwan from Karsaut PACS. Consequently, 55.39 metric tons of CMR remained unsupplied to SFC Siwan. The related paddy from Karsaut PACS had been supplied to Balau PACS Rice Mill, Radia, Maharajganj, totaling 173.00 metric tons. Therefore, the remaining paddy of 82.60 metric tons (calculated as 255.80 - 173.20), valued at Rs. 18,23,808/-, should have been available with the concerned Samiti. Based on Letter No. 1640 dated 14th September 2024 issued by the District Co-operative Officer, Siwan, the informant was directed to search the PACS godown on 17th September 2024 at Korari Kalla, Karsaut and Ramgada. During the search, the informant found no paddy in the said godown. This clearly shows that the Chairman and Manager of the concerned PACS has misappropriated 82.60 metric tons of paddy which is valued at Rs. 18,23,808/- (Rupees Eighteen lakh twenty three thousand eight hundred eight) of government money and despite regular demands by the authorities, the amount was not returned. It is, therefore, evident that the Chairman and Manager have misappropriated government money.

4. Learned counsel for the petitioner submits that due to some communication gap the petitioner has not deposited the amount in question in time and he is now ready to submit the



amount as mentioned in the FIR. The amount in question is Rs. 18,23,808/- (Rupees Eighteen lakh twenty three thousand eight hundred eight).

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

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 444 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. The petitioner shall produce a demand draft of Rs. 5,00,000/- (Rupees Five lakh) in favour of the Bank in question at the time of furnishing bail bond and the rest amount will be paid in six equal installments within a period of six months thereafter and if the petitioner has not deposited the rest amount in time as mentioned above, the Bank has liberty to move before appropriate forum for cancellation of bail bond of the petitioner.



ii. 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.

iii. 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.

iv. 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)

tusharika/-

U		T	
---	--	---	--

