

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85154 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- KUDHNI District- Kaimur (Bhabua)

Ram Vyas Paswan Son Of Ganga Paswan Resident Of Village -Mukhrav, Po-
Mukhrav, Ps- Kuchhila Pariari , Distt.- Kaimur (Bhabua), Bihar-802132

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Co-Operative Extension Officer, Nuan, Kaimur, District- Kaimur Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 27-06-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Kudhani P.S. Case No. 30 of 2024, instituted for the offences punishable under Sections 316(5), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, 4644.7 qts of paddy was entrusted to the President and Manager of PACS and as against the said paddy only 3190 qt CMR was supplied to the Bihar State Food Corporation and thereafter, despite directions, the remaining CMR was not supplied nor the godown where the paddy was stored was opened by the said accused for its verification and lastly the accused persons embezzled 7285.25



qts amounting to Rs. 1,60,85,832/- has been embezzled as no paddy was found stored in the godown.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner is not named in the FIR. Name of the petitioner has surfaced in this case during course of investigation on the basis of written report filed by the informant with regard to adding the name of members of the PACS in the FIR. It is next submitted that petitioner has no role in purchasing or keeping the paddy in the godown rather, it is the duty of the President and Manager of the PACS for keeping and supplying the paddy and CMR, as is evident from perusal of the FIR, wherein the informant has stated that the President and Manager of the PACS are responsible for keeping the paddy and for all financial transactions. The petitioner has no role in the alleged embezzlement. It is next submitted that the petitioner is in custody since 25.09.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 05.12.2024 passed in Cr. Misc. No. 77275 of 2024.



5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kudhani P.S. Case No. 30 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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