

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.121 of 2025

Arising Out of PS. Case No.-67 Year-2016 Thana- EKMA District- Saran

=====

Ram Wakil Pandey S/O Late Parsuram Pandey Resident Of Village Nadauwa,
Ps Nawar Bazar, Dist.- Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. The Bihar State Food and Civil Supplies Corporation Limited through its District Manager, Chapra
3. Vigilance Dept. Govt. of Bihar, Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate
	:	Mr.Majid Mahboob Khan, Advocate
For the Vigilance	:	Mr. Rana Vikram Singh, Advocate
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr.Parmeshwar Mehta, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 04-04-2025 Heard Mr. Brajesh Sahay, learned counsel appearing for the petitioner, Mr. Rana Vikram Singh, learned counsel for the Vigilance, Mr. Shailendra Kumar Singh, learned counsel for the BSFC and Mr.Parmeshwar Mehta, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ekma P.S.Case No.67 of 2016, FIR dated 29.03.2016 registered for the offences punishable under Sections 406,409,420 of IPC read with Sections 12,13,27,13(i) (d) of Prevention of Corruption Act, 1988.

3. The prosecution case, in short, is that on the basis



of order of District Magistrate, Saran, S.F.C. Manager filed a written complaint before SHO Ekma alleging therein that for purchased year 2012-13 total 13290.00 quintals Dhan was procured and provided to the Proprietor Jai Ram Rice Mill for miling with a condition that he will return 67% of rice to F.C.I. by 31.12.2013. The abovementioned Rice Mill handed over only 7290.00 quintals CMR (Rice) to F.C.I. and 6000.90 quintal rice was not handed over. There is an allegation of misappropriation of rice by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the same set of allegation, the petitioner has faced the departmental proceeding and the petitioner has been exonerated from the departmental proceeding and as per direction of the Hon'ble Apex Court, more than 600 FIRs have been instituted against the Proprietor of Rice Mill and petitioner is not the Owner/Proprietor of the Rice Mill and one of the Proprietors, namely, Jitendra Kumar Mahto has been granted privilege of anticipatory bail vide order dated 18.10.2026 passed in Cr. Misc. No.40588 of 2016.



5. Learned counsel for the Vigilance and learned counsel for the BSFC, on other other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one of similar nature but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his 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 learned Additional Sessions Judge-2nd, Muzaffarpur-cum-Special Judge, Vigilance, Muzaffarpur in connection with Ekma P.S.Case No.67 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient



reason, his/her 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/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

