

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89956 of 2024

Arising Out of PS. Case No.-257 Year-2024 Thana- LALGANJ District- Vaishali

Sudhanshu Abhilasha @ Manoj Kumar Yadav @ Manoj Kumar Son of Sri
Vijay Kumar Rai Resident of Village- Zafrabad, P.S.- Lalganj, Distt.- Vaishali,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharavan Kumar, Sr. Adv. Mr. Krishna Kumar Singh, Adv. Mr. Monika Singh, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

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

ORAL ORDER

3 25-03-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Lalganj
P.S. Case No. 257 of 2024 instituted for the offences under
Sections 409/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of committing breach of trust with respect to 2501.8
quintal paddy appropriated from the farmers worth Rs.
55,23,819.84/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner is the Chairman of the PACS. He submits that the petitioner was not involved in weighing the paddy before it was kept in the godown and, as such, he was not aware of the total weight of the paddy kept in the godown and, thus, there is no entrustment of specified weight of paddy to the petitioner. He again points out that whatever paddy was kept was given to Rice Millers and whatever was delivered by the Rice Millers was sent to the Godown of the State Food Corporation. The petitioner is not involved in procurement of paddy and under pressure of superior officers, the petitioner was not able to raise various issues. The petitioner was also not informed about any inquiry and all of a sudden, the instant case was lodged. The petitioner has one criminal antecedent in which he has been granted by this Hon'ble Court and is languishing in judicial custody since 04.11.2024 without any rhymes or reason.

5. As this stage, learned counsel for the petitioner lastly submits that the petitioner is ready to pay the misappropriated amount i.e. Rs. 55,23,819.84/- but, in easy installments, if he is released on bail.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner though has not raised any objection to the aforesaid submissions



of the learned counsel for the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also considering the the submissions given by the learned counsel for the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lalganj P.S. Case No. 257 of 2024, subject to the following conditions;

(i) The petitioner, after his release on bail, will deposit 10% of the misappropriated amount i.e. Rs. 5,52,381.98/- in the court below within a period of fifteen days after his release on bail.

(ii) The rest of the amount will be paid by the petitioner in eight equal monthly installments within a period of eight months thereafter on every 15th of each month.

(iii) The amount, so deposited by the petitioner before the court below, shall remain subject to the final outcome of case.

(iv) One of the bailor(s) shall be the own/close family members of the petitioner.



(v) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(v) In case of non-compliance of any of the aforesaid terms and conditions laid down by this Court, the prosecution will be at liberty to move before the learned court below for cancellation of the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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