

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5227 of 2026

Arising Out of PS. Case No.-279 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Satish Kumar Son Of Shri Ram Chandra Prasad R/O Village - Haweli, P.S.-
Bihar, District - Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Manager Bihar State Food And Civil Supply Corporation
Biharsharif Nalanda Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad
For the BSFC	:	Mr. Nirmal Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for the BSFC.

2. The petitioner apprehends his arrest in connection
with Laheri P.S. Case No. 279 of 2017 registered for the offence
under Sections 409/34 of the Indian Penal Code.

3. The prosecution story, in brief, is that in light of the
District Magistrate, Nalanda's letter no. 4076, dated 28.06.2017,
the District Supply Officer, Nalanda, inspected the Warehousing
Corporation, CMR, Godown, Bihar Sharif. Following the
investigation, only 69279.50 quintals of CMR rice was found
against a total of 7620371 quintals of rice. Thus, a shortage of
16768.50 quintals of government rice was found. The quality of



the rice was also found to be poor. The Superintendent, State Warehousing Corporation, Bihar Sharif, and the Executive Assistant are responsible for this.

4. The learned counsel for the petitioner submits that the petitioner is a Chairman of Mararua PACS and the petitioner purchased a total of 10,534.15 quintals of paddy from the PACS members (farmers). Of this, 67% of the paddy, amounting to 7,051.18 quintals, was processed into rice, which resulted in 3,456.90 quintals of CMR rice. This rice was deposited in the State Warehouse Corporation (SWC), Bihar Sharif, Nalanda on 17-02-2017, through trucks. It is submitted that the rice was received by the Superintendent and the Executive Assistant after the quality and quantity were inspected. The petitioner has obtained the relevant purchase-cum-payment voucher for the CMR along with the acceptance-cum-analysis report of the rice.

5. Learned counsel for the petitioner further submits that the remaining 3,594.28 quintals of CMR was deposited in another SFC CMR godown in Bihar Sharif, and there are no outstanding balances with SFC Nalanda. By order of the District Magistrate (D.M.) Nalanda, the SWC and other CMR godowns were inspected by the Senior District Officer on 27-03-2017, who found everything to be in order and submitted his report



vide Letter No. 444 dated 13-04-2017. He further submits the petitioner is not concerned with any shortage of CMR.

6. In support of his submissions, learned counsel for the petitioner has submitted that the similarly situated accused person has already been granted bail by this Court on 19.02.2026 in Cr. Misc. No. 32500 of 2025.

7. Learned counsel for the State and BSFC have vehemently opposed the application of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed.

9. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, 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, Nalanda/concerned Court below in connection with Laheri P.S. Case No. 279 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

(Sandeep Kumar, J)

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