

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2741 of 2026

Arising Out of PS. Case No.-237 Year-2025 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. Chandra Kant Pandey S/O Late Satnarayan Pandey @ Satya Narain Pandey
Resident Of Village- Ramgarh, P.s.- Bhagwanpur, Dist.- Kaimur
 2. Md. Gyasuddin @ Md. Gayasuddin S/O Md. Abbas @ Abbas Resident Of
Village- Ramgarh, P.s.- Bhagwanpur, Dist.- Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Sasaram Bhabhua Central Cooperative Bank ltd, Sasaram through its
Managing Director Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Jha, Advocate
For the Informant	:	Mr. Bindhyachal Rai, Advocate
		Mr. Chandan Kumar, Advocate
		Mr. Shivam Narayan Pandey, Advocate
For the Opposite Party/s :		Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard the parties.

2. The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 237 of 2025, registered for the offences punishable under Sections 116(5), 318(4) of the BNS.

3. Allegedly, for the procurement year 2024-2025, the Ramgarh PACS purchased 5891 qt. paddy but till date the last date of supply of CMR (Customed Milled Rice) total CMR (Customed Milled Rice) have not been supplied to the State Food Corporation. The petitioners, who were holding the post of Chairman and Manager of Ramgarh PACS were the custodian of



the paddy and they have failed to supply the CMR equivalent to 1668.50 qt to the tune of Rs. 38,37,550/-. In the aforesaid premise, the present FIR came to be instituted.

4. Learned Advocate for the petitioners submitted that under the procurement scheme, the PACS has to purchase paddy from the farmers for which cash-credit is granted by the Cooperative Bank. For milling work, the District Task Force selects the mill and the PACS is tagged with the selected mill. The mill so tagged has to supply CMR to the SFC through the PACS concerned and the PACS has to supply paddy to the Miller equivalent to the CMR so supplied by the latter and accordingly, SFC paid the price in the bank account of the PACS. The non supply of CMR is not a criminal offence but, is a matter of recovery of the price of the due CMR but only in order to wreck vengeance to the petitioners, the present FIR is came to be instituted. Despite the aforesaid facts, the petitioners are ready to discharge the liability in installments. The bonafide of the petitioners is also writ large, as they have also deposited Rs. 7,00,000/- on different dates to the opposite party no. 2. It is further contended that the petitioners are ready to deposit the rest of the amount to the tune of Rs. 31,37,550/ within one year in six installments.



5. On the other hand, learned Advocate for the State as well as the Bank vehemently opposed the bail application and submitted that petitioners have duped the public money which was meant for the farmers and as such does not deserve any sympathy of the Court.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the undertaking given before this Court by the petitioners that they are ready to deposit the rest of the due amount to the tune of Rs.31,37,550/- in six installments within one year from the date of receipt of this order, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No. 237 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions:

(i) Any defiance of the undertaking with respect to deposition of the rest of the due amount to the tune of



Rs.31,37,550/- in six installments shall entail cancellation of the
bail bonds of the petitioners, and

(ii) that one of the bailors shall be the own/close
family members of the petitioners.

(Harish Kumar, J)

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