

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21055 of 2026

Arising Out of PS. Case No.-179 Year-2025 Thana- Ramgarh Chowk District- Lakhisarai

1. Lukhar Paswan Son of Baijnath Paswan
2. Vikash Kumar Son of Rajesh Bind @ Rajendra Bind
Both are R/o Village - Bakiyabad(Surari Imam Nagar) P.S. - Halsi, District - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food and Civil Supply Corporation, Patna District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate Ms. Abhilasha Kumari, Advocate Mr. Anmol Kumar, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP
For the BSFC	:	Mr. Ashutosh Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 15-07-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Ramgarh Chowk P.S. Case no.179 of 2025 registered under sections 316(5) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the Surari Imamnagar PACS purchased 1932.500 metric ton of paddy from the farmers for the season 2024-25 and as per the department, a total of 1320.746 metric ton of rice was to be supplied by the PACS concerned to the State Food Corporation, Lakhisarai. It is the prosecution case that against the said amount, only 870 metric



ton of rice was supplied and the remaining being in deficit, the PACS has committed defalcation/breach of a total sum of Rs.1,52,58,975/.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the case only for the reason that they happen to be the members of the PACS (Primary Agricultural Credit Society) in question. Neither they are the Chairman of the PACS nor are they signatories of any of the documents relating to transaction between the PACS and the opposite party no.2 or any other authority. They are in custody since 17.2.2026 and have no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned counsel appearing for the Bihar State Food and Civil Supplies Corporation. Referring to the counter affidavit filed by the District Manager of the Corporation, it is submitted that there is direct allegation against the petitioners as also others of embezzlement of the paddy crops, the total amount embezzled/defalcated being to the tune of Rs.1.52 crores (approx). The petitioners admittedly being members of the PACS cannot shy away from their roles in the decision of the



PACS and in the defalcation of the aforesaid amount by the PACS. The case against the petitioners have been found true and thus chargesheet has been submitted in the case.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the FIR, the material that has transpired in course of investigation, the petitioners being in custody since 17.2.2026, chargesheet having been submitted in the case and the petitioners not having any criminal antecedent, the Court directs both the petitioners to be enlarged on bail in connection with Ramgarh Chowk P.S. Case no.179 of 2025 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Lakhisarai.

(Partha Sarthy, J)

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