

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32500 of 2025

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

Pikku Yadav @ Satish Kumar @ Pinku Yadav S/O Late Shiv Narayan Prasad
Village- Khaje Etwar Sarai Police Station- Rahui, District- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Ram Babu S/O Late Ramnaumi Ram R/O and Post- Dighwaliya, P.s.-
Raghunathpur, Dist.- Siwan. At Present Dist. Manager, State Food Corp.,
Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the Opposite Party/s	:	Mr.Parmeshwar Mehta
		Mr. Shyam Kumar Singh, APP
For the BSFC	:	Mr. Nirmal Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 19-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

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. As per FIR, which instituted on behalf of D.M.,
Bihar Sharif in terms of Letter No.4076 dated 28.06.2017 that
while he inspected the State Food Corporation's Godown,
Nalanda upon verification, found that only 59279.50 quintal
Custom Milled Rice (in short 'C.M.R.') was found instead of
76203.71 quintals of rice and as such, 16768.50 quintal of rice



was found missing. Standard of rice was also alleged to be found of compromised quality.

4. Learned counsel for the petitioner submits that the petitioner had purchased 6000 quintals of paddy from PACS farmers, which yields approximately 4020 quintals of rice (67%). Of this, 1371.49 quintals of CMR was deposited as follows: 26.02.2017 (200 quintals), 27.02.2017 (200 quintals), 28.02.2017 (200 quintals), 01.03.2017 (200 quintals), 02.03.2017 (121.92 quintals), 07.03.2017 (200 quintals), and 08.03.2017 (249.57 quintals) and all were transported by truck bearing Reg. No. BR21E-8001. He further submits that the rice was received at the SWC godown, Bihar Sharif, by the concerned officers namely Ranjeet Kumar and Abhay Kumar, who signed the relevant quality and quantity analysis reports on 02.03.2017 and 09.03.2017 respectively and remaining 2648.51 quintals of CMR were deposited at other SFC godowns by trucks.

5. Learned counsel for the petitioner further submits that the SWC godown at Bihar Sharif, along with other CMR godowns, was inspected by senior district officers on 27.03.2017, as directed by the District Magistrate, Nalanda. The quality and quantity were found to be satisfactory and therefore



the petitioner has falsely been implicated in this case and he has given representations before the S.P., D.M., D.I.G. Patna, and I.G. Bihar along with the aforementioned documents asserting his innocence. He next submits that the allegation that CMR was transported by two-wheeler or passenger vehicle is completely false. The entire CMR was transported by a truck, which is also reflected in the purchase-cum-payment vouchers signed by SWC officials and the entire payment for the supplied CMR was credited to the petitioner's PACS loan account with Nalanda Central Cooperative Bank Ltd., Rahui Branch, by SFC, Nalanda.

6. In support of his submissions, learned counsel for the petitioner has submitted that the similarly situated accused persons have already been granted bail by co-ordinate Benches of this Court.

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

8. Considering the aforesaid facts, 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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