

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3551 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- MATIYARIA District- West Champaran

1. Arvind Sah S/o Bharat Sah R/o Village - Turkauliya, Sherwa Majidwa, P.S -
Matiyariya, District - West Champaran
2. Rajbanshi Prasad S/o Bechu Mahto R/o Village - Turkauliya, Ward No. 11,
P.S - Matiyariya, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supply Corporation through its Managing
Director Bihar
3. The M/S Om Sai Ram Agro Private Ltd. the Registered Miller with the
Mahui PACS Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Sarvesh Kashyap Mr. Deepak Kumar
For the State	:	Mr. Parmeshwar Mehta
For the BSFC	:	Mr. Shailendra Kr. Singh Mr. Utkarsha Utpal
For the OP-3	:	Mr. Shashi Bhushan Kumar Mrs. Arti Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 09-07-2026 Heard learned counsel for the parties.

2. The petitioners apprehend arrest in a case registered
for the offence punishable under sections 318(2), 316(5) of the
B.N.S., 2023.

3. The prosecution case, in brief, is that informant,
who is posted as Block Co-operative Officer at Gaunaha Block,
alleged that in the year 2024-25, PACS Chairman Arvind Sah
and Manager Rajbanshi Prasad (both petitioners) had purchased
2116 quintal paddy but the same was not provided to the miller
and they did not provide CMR till extended period i.e



14.09.2025 and 15.09.2025 at 11:00 am, the godown of Mahui PACS was inspected and the stock was found to be nill and thus it is clear that Rs. 50,33,625/- has been grabbed by them in lieu of 2165 quintal paddy and accordingly the F.I.R has been lodged.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence. He further submits that petitioners have deposited Rs. Twenty Lakhs against defalcated amount of Rs. 30,70,162.50 and thus, Rs. 10,70,162.50 remains to be paid. Accordingly, by way of filing supplementary affidavit, learned counsel submits that out of remaining amount i.e. Rs. 10,70,162/-, petitioners shall deposit Rs. 3,00,000/- at the time of furnishing bail-bond and rest in two installments in the office of District Manager, Bihar State Food and Civil Supplies Corporation Ltd. Bettiah (West Champaran), subject to outcome of the case.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioners, mentioned above, be enlarged on **provisional bail** on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned Judicial Magistrate, Bettiah, West Champaran in connection with Matiyariya P.S. Case No. 90 of 2025, subject to the conditions laid down under section 482 of the B.N.S.S. as well as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 3,00,000/- (Three Lakhs) shall be deposited by the petitioners through demand draft in the office of the District Manager, Bihar State Food and Civil Supplies Corporation Ltd. Bettiah (West Champaran) and receipt of the same shall be furnished along with bail-bonds.

(ii) Rest amount shall be deposited in two installments i.e. Rs. 4,00,000/- (Four Lakhs) and Rs. 3,70,162/- (Three Lakhs Seventy thousand one hundred sixty two) by these petitioners through demand draft within six months.

(iii) If the petitioners comply with the conditions, the court below shall confirm the provisional bail, otherwise court below shall be at liberty to cancel the bail bonds of the petitioner.

6. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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