

In the Court of Sessions Judge, Vaishali  
A.B.P. No. 278/2026

1. Geeta Kumari, aged about 38 years, W/o-Ramesh Rai,  
Resident of village –Balwa Koari, P.S. -Sadar Hajipur, Distt. - Vaishali.
2. Sudhir Kumar, aged about 37 years, S/o-Murari Prasad Singh,  
Resident of village –Chand Sarai, P.S. -Mahisaur, Distt. - Vaishali.

State of Bihar - Petitioners  
Versus - O.P.  
Appearance : -  
Learned counsel for the petitioner :- Sri Ravi Bhusahn Chaudhary, advocate.  
Learned P.P. for the State :- Sri Shyam Babu Rai,  
Present : Harshit Singh,  
Sessions Judge, Vaishali.

Date of order : 23<sup>rd</sup> March 2026

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Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioner under section 482 of B.N.S.S. who are apprehending their arrest in connection with Jandaha Mahisaur P.S. Case No. 328/2025 registered u/ss. 316(5) & 318(4) of B.N.S.

It is stated in Para 2 of the anticipatory bail petition that no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written application of the informant, in brief, is that during the procurement season 2024–25, a total quantity of 844.50 quintals of paddy was allegedly entrusted for CMR (Custom Milled Rice) conversion. The accused/petitioners, namely Geeta Kumari (Manager) and Sudhir Kumar (Chairman) of the concerned PACS, were responsible for storage and supply of the said stock. However, upon verification by the competent authority and inspection conducted by the FCI team, serious discrepancies were found. It further appears that against the total entrusted quantity, only a negligible portion was accounted for, and a substantial quantity of paddy/CMR was found missing. The physical verification reportedly revealed shortage and non-availability of the entrusted stock, indicating misappropriation. The alleged defalcation amounts to approximately Rs. 19,42,350/-,

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thereby causing loss to the State exchequer. The responsibility of storage and proper accounting of the stock rested upon the accused/petitioners in their official capacity.

The learned counsel for the accused/petitioner submits that they are innocent and haven't committed any offence. The present case is false and concocted and the petitioners are falsely implicated in this case due to not fulfill the illegal demand of the informant and others. The petitioner is a store manager with no liability for sales and purchases. Petitioner no. 2 is the PACS president. The petitioner bought paddy and offered it to the miller, but it was rejected due to alleged poor quality. The paddy is stored in a godown. The petitioners have deposited ₹4 lakh as per the court order and are willing to pay the remaining amount. Hence, a prayer has been made to allow the anticipatory bail petition .

The learned Public Prosecutor for the State opposed the prayer for anticipatory bail and submits that there is specific allegation of defalcation of government property, and the petitioners being responsible office bearers of the society, are directly accountable. It is further submitted that the nature of accusation is serious and involves economic offence affecting public funds.

Heard the parties and also perused the case record and the case diary. From perusal of the same, it appears that there is specific and direct allegation against the petitioners namely Geeta Kumari and Sudhir Kumar regarding misappropriation of entrusted stock. On further perusal of case diary, all the witnesses, vide para nos. 4, 5 and 21 of the case, supported the factum of occurrence. The alleged offence involves substantial financial loss to the government, which constitutes a serious economic offence. The petitioners were holding responsible positions and were entrusted with custody and management of the stock. The discrepancies have been prima facie substantiated by official verification and inspection reports. No explanation of shortage of grains which was for the purpose of poors has been furnished by the petitioner.

Considering the nature and gravity of the accusation, the manner in which the offence is alleged to have been committed and the materials available on record, this Court is

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of the considered view that the petitioners do not deserve the privilege of anticipatory bail at this stage. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Dictated)

**(Harshit Singh)**  
**Sessions Judge, Vaishali**

