

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41382 of 2015

Arising Out of PS.Case No. -132 Year- 2014 Thana -KOCHADHAMAN District- KISANGANJ

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Parwez Alam @ Parwaiz Alam S/o Azizur Rahman, village- Puthimari,
P.S.- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 13-10-2015

Heard learned counsel for the petitioner and the

State.

Petitioner is the Chairperson of Sontha PACS. He

is apprehending his arrest in Kochadhaman P.S. Case No.132/14
dated 27.06.2014 registered for the offences under Sections 419,
420, 467, 468, 471, 409, 120-B of the Penal Code, perusal whereof
indicates that besides the petitioner Chairperson of other PACS
have also been made accused, as it is said that they have
committed serious irregularities in disbursing the price of paddy
purchased by the PACS and the sale price has been paid to those
who are not authorised to supply the paddy. In the case of
petitioner by way of example, reference is made to Cheque No.
225128 issued for Rs. 61,344 in the name of Jahid Alam, but from
the Bank statement it appears that Cheque No. 225128 was for Rs.

70,200/- and issued in favour of petitioner.

It is submitted on behalf of the petitioner that the aforesaid disbursement may be a mistake but nothing was intentional, as besides the said irregularity no other irregularity has been made by the petitioner in purchase of paddy for the years 2011-12, 2012-13.

Let petitioner surrender in the court below within a period of four weeks from the date of receipt/ production of a copy of this order in the court below with the records of his PACS and the informant or his successor should also be asked to appear along with his records on the basis of which the present case has been lodged. In the event, more than one irregularities are noticed in the case of paddy purchase by Sontha PACS for the years 2011-12, 2012-13, the request of the petitioner for grant of bail be considered in accordance with law, but if mistake is only confined to one disbursement noted above, petitioner, named above, be released on bail on furnishing bail bond of Rs. 5,000/-(Rs. Five Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 132/14, subject to the conditions laid down under Section 438(2) Cr.P.C. Verification be made within two weeks

from the date of receipt/ production of a copy of this order in the court below. Until verification no coercive steps be taken against the petitioner.

The petition is, accordingly, disposed of.

(V.N. Sinha, J)

Rajesh/-

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