

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39180 of 2015**

Arising Out of PS.Case No. -22 Year- 2014 Thana -CHENARI District- SASARAM (ROHTAS)

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Amir Chand Ram, (Block Agriculture Officer, Chenari), son o Sri Suba Ram, R/o village- Bankat, P.S.- Garahani, District- Bhojpur. At present B.A.O. Keshath Block, Distt- Buxar.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Bihar State Food Corporation Patna.

.... .... Opposite Parties

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**Appearance :**

|                          |   |                                                                         |
|--------------------------|---|-------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Dr. Chandra Shekhar Azad, Advocate<br>Mr. Sadashiv Tiwari, Advocate |
| For BSFC                 | : | Mr. Jyotsna Kumari, Advocate                                            |
| For the Opposite Party/s | : | Mr. Nawal Kishore Prasad, A.P.P.                                        |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
ORAL ORDER

2      28-09-2015                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Chenari P.S. Case No. 22 of 2014, disclosing offences under Sections 406, 407, 412, 420, 467, 468, 474 and 472/34 of the Indian Penal Code.

The petitioner is a government servant and at the relevant point of time, he was posted as Block Agriculture Officer, Chenari. On the basis of a report of the Accountant General, Bihar pointing out certain irregularities and acquisition of food grains from the farmers, an enquiry was conducted in which, it was found

that the petitioner in his capacity as Block Agriculture Officer, was also involved in commission of the irregularities.

Learned counsel appearing on behalf of the petitioner submits that the responsibility of acquisition of food grains was on the Circle Officer and not on the petitioner, who was posted there as Block Agriculture Officer.

Learned counsel appearing on behalf of the State Food Corporation has drawn my attention to the result of the enquiry conducted on the basis of the audit report of the Accountant General, Bihar and has submitted that petitioner was not found to be involved in the irregularities in acquisition of paddy from the farmers.

I have perused the report on the basis of which, the First Information Report has been instituted, claiming the petitioner as an accused. I do not find any specific allegation against him in the said report on the basis of which, it can be said that the offence as alleged against him is made out.

In any view of the matter, since the petitioner is a government servant, there is no likelihood of his fleeing away in course of investigation or trial.

Considering aforesaid, the application is allowed.

Let the petitioner, above-named, in the event of his

arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram in connection with Chenari P.S. Case No. 22 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Vats/-

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