

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9916 of 2016

Arising Out of PS.Case No. -228 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Pankaj Kumar, son of Sikandar Das, resident of Mohalla- Maul Tole, P.S.-
Pirpanti, District- Bhagalpur. At present Agriculture Co-ordinater.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Rita Verma (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Kahalgaon (Rasalpur) P.S. Case No. 228/15 for offences alleged

under Sections 406, 409, 420, 467, 468, 470, 34 of the Indian

Penal Code.

The prosecution case, as lodged by the Block

Development Officer, Kahalgaon, is that the petitioner, who was

Agriculture Coordinator, in collusion with other persons given

agriculture subsidy to the forged persons of the same family.

It has been submitted by the learned counsel for

the petitioner that the petitioner was working as Agriculture

Coordinator, which is not a permanent post, and, he has no role to



play in distribution of subsidy to the farmers. He submits that as per letter of the Agriculture Department bearing Nos. 1994 and 1998 dated 27.04.2015 and 28.04.2015 the Mukhiya and other persons are nominated for distribution of subsidy. It has further been submitted that Kishan Salahkar, who has also been named in the First Information Report, has since been granted the privilege of anticipatory bail in Cr. Misc. No. 57561 of 2015 on 21.01.2016 and the allegation upon the petitioner being similar, he may also be enlarged on bail.

However, learned APP for the State submits that it has come in the case diary that petitioner being an Agriculture Coordinator furnished the names of three persons of same family for distribution of subsidy and being named in the First Information Report, does not deserve the privilege of bail.

Considering the facts and circumstances that the petitioner was not on a permanent post and was not Incharge of distribution of subsidy to the beneficiaries and that similarly situated person has already been granted the privilege of bail, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight 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 Sri A. Samim, Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Rasalpur) P.S. Case No. 228/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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