

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41290 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -KHANPUR District- SAMASTIPUR

- =====
1. Jitendra Kumar, Son of Sri Devendra Singh, the Secretary Nav Jagriti Agro Service Station, Resident of Village- Sikti, P.S. Parsa, District- Saran
 2. Satyendra Prasad, Son of Shiv Shankar Prasad, Program Manager, Nav Jagriti Agro Service Station, Resident of Village- Mathia Salempur, P.S. Parsa, District Saran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Alok Kumar Agrawal, Advocate
For the Opposite Party : Mr. Uma Nath Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-02-2016 Heard learned counsel for the petitioners, counsel for the informant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Khanpur P.S. Case No. 27 of 2015 for the offences instituted under Sections 420 and 506/34 of the Indian Penal Code.

As per prosecution case that the petitioners are running with the help of staff of Nava Jagriti Agro Service Station at village-Barahgama and is providing service to farmers. It is further alleged that these petitioners have changed the name of the organization and real fact is this that NGO is registered in the name and style of Nava Jagriti. The Nava Jagriti Agro Service Station is running under Nava Jagriti organization all over the

Bihar including some blocks of Samastipur District. The main purpose of the organization is to provide service to farmers in different fields such as Agriculture, Horticulture cattle etc as well as other areas of service to persons. It is further alleged that more than 30 lacks with all modern facilities and village people are using the same for their purpose. Nava Jagriti is associated with all India organization and is running on the same pattern.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioner no.1 is the Secretary and petitioner no.2 is the Project Officer of the registered society by the name of Nava Jagriti. The object of the said society is for the up-liftment of the rural area where it provides Horticulture cattle farming, soil testing and other things to the local villagers. As per the allegation, initially the centre in question was opened with the name of the Agro Service Station and now the same has been changed to Nava Jagriti Branch Office and for the said reason, the present prosecution has been brought against the petitioners. It is further submitted that they have not changed the name, rather the project which has been introduced by the society the name of Project has been mentioned, hence the same may not be treated as the change in the name of the society. The society is registered by the name of Nava Jagriti which is evident from Annexure-2 to the present application. It is further

submitted that the petitioners are ready to deposit an amount of Rs.40,000/- each in the court below which shall be subject to the final disposal of the case.

On behalf of the State and counsel for the Informant, it has been submitted that since the society was not properly functioning and the objects of the society was not being properly monitored, hence the prosecution has been brought.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall deposit an amount of Rs.40,000/- each in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Khanpur P.S. Case No. 27 of 2015/G.R.No.598 of 2015 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 CJM, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--