

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57857 of 2015

Arising Out of PS.Case No. -421 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Harendra Nath Mehra son of Late Hira Lal Mehra, resident of village-
Belaure, P.S.- Udwantnagar, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur
Mr. Pravin Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-01-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner being the Block Agriculture Officer at Desri apprehends his arrest in connection with a case registered for the offences punishable under Sections 420 and 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against this petitioner is that while functioning as Block Agriculture Officer instead of following the guidelines for payment to seed dealers which is to be paid through the RTGS mode or by account payee mode, the petitioner paid the seed dealers in cash which is clearly against the guidelines in this regard. It is further submitted that the said contention as made out in the First Information Report is wholly erroneous as all dealers



have received payment from the petitioner through the RTGS mode or account payee mode only. The present prosecution, in fact, was lodged at the instance of one dealer, namely, Raghoji House of Distribution, Hajipur in whose context the petitioner had received delayed instructions for being appointed as dealer by the District Agriculture Officer. It is submitted that aggrieved by such action, the petitioner was victimized though he too was subsequently paid for the seeds supplied by him through RTGS mode only. The said fact stands justified by a perusal of Annexure -8.

Learned counsel appearing on behalf of the State submits that the cash has been adopted by the petitioner but it appears from the First Information Report that save and except the allegation in the First Information Report, there is no further material.

Considering the aforementioned facts and circumstances and also that a perusal of Annexures reveal that the petitioner has adopted RTGS method alone, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with

Hajipur Sadar P.S. Case No. 421 of 2015 subject to the conditions
as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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