

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28524 of 2017

Arising Out of PS.Case No. -249 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Hamid Reza, Son of Md. Umar, Resident of Village- Jhitkahi, P.S. Dhaka
(O.P. Pachpakari), District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Dhaka (Pachpakari) P.S. Case No. 249 of 2016 for the
offences instituted under Sections 406, 420 and 409 of the IPC.

The prosecution story, in brief, is that the Co-operative
Extention Officer, Dhaka, sent Letter No. 14 dated 22.08.2016 to
the S.H.O., Pachpakari O.P., Dhaka, P.S. stating therein that in
view of Letter No. 5985 dated 11.07.2016 of the Registrar, Co-
operative Societies, Bihar, Patna, and Memo No. 1078 dated
13.07.2016 of the District Co-operative Officer, East Champaran,
Motihari, that through Hamid Raza, PACS Adhyaksh for the year



2015-16 till 31.03.2016 total 2374.50 Quintal paddy was purchased and he disclosed that till 31.07.2016 equivalent to 2374.50 quintal paddy 1590.915 quintal C.M.R. supplied to S.F.C. but the last report of S.F.C., it appears that only equivalent of 1647.761 quintal paddy 1104 quintal C.M.R. has been supplied to S.F.C., and it appears as per report that he has defaulted 726.739 quintal paddy and its value come to Rs.10,24,702 and F.I.R. be lodged against him. Hence, this case was instituted.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The petitioner happened to be the Chairman of PACS. The outstanding paddy has already been deposited by the petitioner. The same is evident from Annexure-2 to the present application.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Dhaka (Pachpakari) P.S. Case No. 249/2016 on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dhaka (Sikrahna), District-East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

