

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18172 of 2016

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Pankaj Singh S/o Ganesh Singh, Resident of Village- Maharajganj, P.S.- Kachhawa, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Rohtas at Sasaram.
2. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Rohtas at Sasaram.
3. The District Certificate Officer, Rohtas at Sasaram.
4. The District Magistrate, Rohtas at Sasaram.
5. The Sub- Divisional Officer, Bikramganj, Rohtas.
6. The Officer-in-Charge, Nasariganj, P.S.- Nasariganj, District- Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra, Adv.
Mr. Surendra Mishra, Adv.

For the Respondent/s : Mr. Chhotelal Mishra, AC to GA-6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-03-2017

Heard learned counsel for the petitioner and counsel for the State.

In this case the petitioner submits that on account of unavoidable reason, he could not deposit the proportionate CMR amount which lead to institution of criminal case being Kacchawa P.S. Case No. 20 of 2015 for offence under Sections 419, 420 and 406 of the Indian Penal Code in which the petitioner has been granted anticipatory bail vide order dated 31.8.2016 in Cr. Misc. No. 11451 of 2016 and, in terms of that order, the petitioner has deposited 20% of the amount which comes to Rs. 6,64,000/-. The Corporation has also filed certificate case being Certificate Case No. 13/2014-15 for the amount of Rs. 33,19,803/- corresponding to 1533 quintals of CMR rice.



Learned counsel for the petitioner submits that he is ready to deposit the amount but, in installments. The matter is pending before the S.D.O., Rohtas at Sasaram.

Let the petitioner file a proper application wherein he must give the breakup in what manner he wants to pay the amount of dues. If such an application is filed, in such circumstances, the Certificate Officer, Rohtas at Sasaram will be obliged to consider the application and will see that in what manner the petitioner can be directed for payment of the amount in installments.

This Court is not giving any opinion on the merit of the case. If the petitioner files an application within a period of three weeks from today giving his undertaking in what manner he is ready to pay, the coercive order passed against the petitioner will be kept in abeyance but, if the petitioner fails to pay in terms of the order of the S.D.O., then the Certificate Officer will be at liberty to take coercive action against the petitioner in accordance with law.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.03.2017
Transmission Date	

