

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37952 of 2018

Arising Out of PS.Case No. -81 Year- 2017 Thana -BIKRAM District- PATNA

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Ashok Kumar Sharma, aged about 56 Years, S/o Sri Kamta Prasad Sharma,
the then Block Agriculture Officer, Bikram Patna, Permanent Resident of
Rajapur, P.S.- Bodhgaya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Vigilance Investigation Bureau , Bihar Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Ranjan, Advocate.

For the Opposite Party/s : Mr. Satyavarat Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-07-2018

Heard learned counsel for the petitioner and the State.

Earlier anticipatory bail application of the petitioner
was dismissed as withdrawn by this Court vide order dated
11.01.2018 passed in Cr. Misc. 55813 of 2017 with liberty to file a
fresh anticipatory bail application before the court concerned.

Allegation against the petitioner is that while posted
as Block Agricultural Officer he has defalcated amount of
Rs.52,50,000/- of *Shri Vidhi Yojana* of the year 2013-14 by not
making payment of the same for the distribution of fertilizer and
pesticides to different farmers. It is further alleged that this
petitioner has withdrawn the amount but the same was not
distributed. The Director Agriculture had given direction for



lodging First Information Report against the petitioner in view of joint enquiry report of Joint Director vide letter dated 6.4.2017 which is part of the First Information Report. During enquiry it was found that money has been withdrawn by the petitioner but the same has not been distributed to the farmers and several other irregularities were found as mentioned in the enquiry report.

Learned counsel for the petitioner has submitted that none of the farmers has made complaint against the petitioner. It has further been submitted that Rajeshwar Kumar who was Proprietor of *Krishi Suchna Kendra* has lodged complaint before the Hon'ble Lokayuta and as per direction of Hon'ble Lokayukta the enquiry was held and thereafter the First Information Report was lodged against the petitioner. The said Rajeshwar Kumar in retaliation has lodged the complaint before the Lokayukta against the petitioner and no any complaint was lodged by any of the farmers.

This Court after looking into the allegation in the written report and submission of the petitioner could not find any satisfactory answer about the distribution of amount of Rs.52,50,000/- amongst the farmers by the petitioner after withdrawing the same. There is no any proof or list of the beneficiaries submitted by the petitioner before the enquiry



officer.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

S.Ali/-

(Sanjay Priya, J)

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