

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63318 of 2017

Arising Out of PS.Case No. -149 Year- 2017 Thana -NAUHATTA District- SAHARSA

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Jhameli Das, Son of Late Bhadai Das, Chairman, Shahpur PACS Resident
of Mohalla- Shahpur, P.S. Nauhatta, Dist.- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-03-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection
with Nauhatta PS case no. 149 of 2017 registered for the offences
punishable under Sections 406 and 420 of the Indian Penal Code.

The allegation against the petitioner is that while he
was PACS Chairman and had purchased paddy from local
farmers, he had to supply 67% CMR rice to the SFC, Saharsa. It is
further alleged that the petitioner herein failed to supply the
requisite quantity of CMR rice totaling to a sum of Rs.4,27,639/-
and he had defalcated the said amount.

The learned counsel for the petitioner submits that the
amount outstanding for payment was, in fact, a sum of Rs.
3,24,000/ which the petitioner had deposited with the SFC,



Saharsa, as has been confirmed by the Block Cooperative Extension Officer, Nauhatta, Saharsa and is also apparent from paragraph 46 of the case diary. It is apparent from paragraph-46 of the case diary that the amount to be recovered has wrongly been mentioned in the FIR and the same should have been a sum of Rs. 3,24,000/-, which stands deposited by him.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Saharsa in connection with Nauhatta PS case no. 149 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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