

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37197 of 2019**

Arising Out of PS. Case No.-3 Year-2019 Thana- BHIMPUR District- Supaul

Tilak Chand Sahani @ Tilak Chanda Sahani, Son of Bihari Sahni Village-
Belaganj, P.S.-Bhimpur, District-Supaul

... .. Petitioner

Versus

1. The State Of Bihar
2. Bihar State Food Corporation, Supaul, P.S.-Bhimpur, District-Supaul.
Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Rai

For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 04-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhimpur P.S. Case No. 03 of 2019, registered under Sections 420, 406 and 409/34 of the Indian Penal Code, pending in the court of the learned Addl. Chief Judicial Magistrate-II, Supaul.

The accusation is that in the year 2015-16, 1722 quintal of paddy was purchased from 31 farmers by Jiwachhpur PACS, but the price of the 571 quintal of paddy was not paid to eight farmers. On the complaint of Om Prakash Bahardar, inquiry was made then it has come in the knowledge that 8



farmers, who have supply 571 quintal of paddy were not paid price of the paddy.

Learned counsel appearing on behalf of the petitioner submits that while petitioner was Chairman of PACS at the relevant time, but there was joint liability of the PACS committee to purchase the paddy from the farmers and paid the money and petitioner only being the Chairman of the PACS would not be held liable for non-payment of 571 quintal of paddy to 8 farmers. Moreover, the matter of non-payment of 571 quintal of paddy to 8 farmers is related to civil dispute.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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