

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40162 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- KARAHGAR District- Rohtas

Chitranjan Kumar Bharti, Son of Ramashish Paswan Resident of Village-
Dumra, P.S.- Kargahar, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajeev Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Parmeshwar Mehta, APP
For the BSFC :	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 18-09-2019 Heard Mr. Rajeev Kumar Sinha, learned counsel for

the petitioner, Mr. Shailendra Kumar Singh, learned counsel

for the BSFC and Mr. Parmeshwar Mehta, learned APP for

the State.

The petitioner seeks bail in connection with

Kargahar P. S. Case No. 238 of 2018 dated 26.08.2018

instituted for the offences under Sections 406, 409, 420,

120(B) and 34 of the Indian Penal Code.

It has been alleged in the F.I.R. lodged by the

Block Cooperative Extension Officer, Kargahar that in the

year 2017-2018 in Dumra PACS, 1775 quintals of paddy

had been received but no corresponding CMR was deposited



by the President and the Manager of the said PACS. The petitioner is shown to be the Manager of Dumra PACS.

Learned counsel for the petitioner has submitted that though he has been shown as Manager of the aforesaid PACS but the fact of the matter is that he only worked as a domestic servant of the President / Chairman of the aforesaid PACS.

He further submits that his name was unnecessarily taken by the Chairman of the PACS for his own advantage.

The petitioner has no idea about any transaction.

Apart from this, it has been submitted by the petitioner that in the other PACS also, the Manager does not have any role to play and the entire mandate of accepting the paddy and returning the corresponding CMR is on the Chairman of the PACS.

Learned counsel for the petitioner had also shown to this Court a certificate issued by the Chairman of the concerned PACS that no work of managerial nature was being taken from the petitioner.



This Court has serious reservation about the correctness of the aforesaid certificate. Nonetheless, taking into account the fact that the procurement is of the year 2017-2018 and petitioner is in custody since 22.02.2019 with no criminal antecedents, this petition is allowed. The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri R.K. Singh, A.C.J.M., Sasaram, Rohtas in connection with Kargahar P. S. Case No. 238 of 2018.

(Ashutosh Kumar, J)

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