

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85320 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- SURYAGARHA District- Lakhisarai

Rajnish Kumar, Ex-Head Assistant, District Co-operative Office, Lakhisarai, aged about 44 years, Male, Son of late Suresh Sharma, Resident of Mohalla - Surkhikal, Anandi Mishra Lane, P.S.- Tilkamanjhi, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 28-08-2020 Heard Mr. Manoj Kumar Jha, the learned counsel appearing on behalf of the petitioner and Mr. Parmeshwar Mehta, the learned Additional P.P.

The petitioner apprehends his arrest in Suryagarha P.S. Case No.13 of 2019, registered under Sections 467, 468, 406, 409, 120(B) and 34 of the Indian Penal Code.

Ramsnehi Singh, the informant alleged that in the financial year 2014-15 and 2015-16, the accused persons disobeying the rules and directions purchased 70 to 90 quintals of paddy from such a farmer who have got 1 Acre land they fraudulently opened account in the name of fake farmers and thereby they misappropriated huge amount of government money.

Learned counsel for the petitioner submits that the petitioner is Head Clerk in the District Co-operative Office. The



petitioner is not at all concerned either with the purchase of paddy from the farmers or opening of the accounts in the name of fake farmers. An enquiry was held by the District Land Acquisition Officer, Lakhisarai in pursuance of the order of the District Magistrate, Lakhisarai (Annexure-2, Page 71). The District Land Acquisition Officer has very categorically stated that the Chairman of Saidpura PACS, Manager of Saidpura PACS and the Manager of Co-operative Bank are responsible for cheating and misappropriation of the government money in purchasing the paddy. It is further submitted that the petitioner being the Head Clerk in District Co-operative Office had no role to play and, therefore, has falsely been implicated in the case.

Considering the facts aforesaid and the fact that the petitioner being the Head Clerk in the District Co-operative Office, Lakhisarai is not at all appears to have involved in the case of purchasing of paddy which was entrusted to the PACS and opening of accounts in the name of fake farmers, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai in connection with Suryagarha P.S. Case No.13 of 2019, subject to



the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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