

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33089 of 2020

Arising Out of PS. Case No.-52 Year-2020 Thana- KUTUMBA District- Aurangabad

SANJEEV KUMAR SINGH, aged about 36 years, Gender-Male, S/o Suresh Singh, R/o village- Simri Bala, P.S.- Kutumba, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amit Kumar Jha, Advocate.

For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 420, 467, 468 and 471 of the I.P.C.

The prosecution story, in brief, is that on 12.04.2020, the informant (Block Agriculture Officer), Aurangabad, submitted a written application before the S.H.O., Kutumba, stating therein that the petitioner is Farmer Adviser (Kishan Salahkar), at Jagdishpur Panchayat under Kutumba Block in Aurangabad District. He was also given additional charge of



Matpa Panchayat. Farmers made complaint against him and, therefore, he was relieved from the extra charge of Matpa Panchayat vide Letter No. 142 dated 18.01.2020 under the signature of District Agriculture Officer. It is further alleged that on direction of the Department, farmers of Matpa Panchayat submitted Online Forms for the grant in lieu of crop failure caused by untimely rain/storm/hail-storm in last week of February, 2020. The Agricultural Co-ordinator after verification of forms submitted under Matpa Panchayat, forwards all the 95 Forms to Login I.D. of the District Agricultural Officer who vide Letter No. 626 dated 07.04.2020 directed the B.D.O. and the C.O. of Kutumba Block to enquire about the transparency and authenticity of the Forms. In the report of the B.D.O. and the C.O., Kutumba, it was found that this petitioner being the Farmer Advisor has illegally obtained the User I.D. and Password of the Agricultural Co-ordinator with intention to provide undue advantage to farmers by filling Online Form with fake photographs for grant under “Agriculture Input Grant Scheme” under Matpa Panchayat despite the fact that he was not even Incharge of the said Panchayat. It is further alleged that this petitioner misused his position for undue advantage to himself and his relatives. He also projected wrong measurement



of land of fake farmers for undue advantage under “Agriculture Input Grant Scheme”. In course of enquiry, it was also found that he made his own people to fill-up the forms and subsequently, these persons gave wrong measurement and take fake photographs of farmers and upload them. One Rohini Raj gave her User I.D. and Password to this petitioner for verification and forwarding of applications. Hence, all are involved in misappropriation of government fund.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case for oblique reason. The petitioner is a Farmer Advisor. He had to extend the scheme known as “Agriculture Input Grant” to the farmers granted by the State Government. As per the allegation, benefits of scheme were given to his own relatives. The said allegation is denied by the petitioner. It is further submitted that the petitioner was not posted in the concerned Panchayat at that relevant time.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of



the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in connection with Kutumba P.S. Case No. 52 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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