

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67637 of 2019

Arising Out of PS. Case No.-1358 Year-2018 Thana- SASARAM NAGAR District- Rohtas
=====

SUNIL KUMAR S/O Ajay Kumar Rai Resident of Mohalla- Karbigahia,
P.S.- Jakkanpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Jai Prakash Singh
For the Opposite Party/s	:	Mr.Ashok Kumar Singh
For the BSSC	:	Mr. Sourendra Pandey

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 06-12-2021 Heard Mr. Jai Prakash Singh, the learned counsel

for the petitioner and Mr. Sourendra Pandey, the learned

counsel for the Bihar State Seeds Corporation. The State is

represented by the learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Sasaram (Model) P.S. Case No.

1358 of 2018 instituted for the offences under Sections 409

and 420 of the Indian Penal Code.

The accusation against the petitioner is that he



being one of the employees of the Corporation has not been able to recover an amount of Rs. 2,89,19,623/- from various beneficiaries who were sold seeds.

The learned counsel for the petitioner has submitted that merely because the outstanding dues from the beneficiaries could not be recovered, he has been made accused in this case without alleging any foul play on his part. He has further submitted that with his efforts, an amount of Rs. 2,89,00,000/- has been deposited but still a huge amount is outstanding. The petitioner has been making efforts in that direction and he assures that he shall cooperate with the Investigating Agency as also with the office of the Bihar State Seeds Corporation for identifying such farmers/ beneficiaries who had taken loan or seeds and have not paid back to the Corporation.

This Court was initially baffled at the nature of allegation in the complaint petition which did not state anything about the petitioner being instrumental in disbursing of loans to the beneficiaries. All that has been alleged is that the officers of the Seeds Corporation were not



diligent enough in recovering the dues from the beneficiaries.

With the assurance of the petitioner that he shall participate in the investigation, help the Investigating Agency to identify such farmers who are required to pay back their dues and shall cooperate with the Seeds Corporation in identifying those farmers, this Court deems it appropriate to grant bail to the petitioner.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram, in connection with Sasaram (Model) P.S. Case No. 1358 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

In case it is found that the petitioner is not cooperating in the investigation or not helping the Seeds Corporation to identify the beneficiaries for return of the loan



amount, the bail granted to the petitioner shall be liable to
be cancelled.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

