

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15764 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- SAHARSA SADAR District- Saharsa

=====

Avinash Jha @ Avinash Kumar Jha, male, aged about 50 years, Son of Late Indrakant Jha, Resident of Village- Chandraayan, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-03-2022 Heard Mr. Pramod Mishra, the learned Advocate for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Saharsa Sadar P.S. Case No. 160 of 2020 dated 19.02.2020 instituted for the offences under Sections 406, 409, 420 and 34 of the Indian Penal Code.

He had been an employee of the State Food Corporation but after his retirement, he has been given part-time employment as an Executive Assistant on



contractual basis.

On a starred question by a member of the Legislative Assembly with respect to suspicion over recycling of CMR and embezzlement of government money in the garb of procuring paddy and then giving the CMR to the State Food Corporation, an audit was conducted in which six issues/irregularities were found which necessitated investigation. On the basis of the aforesaid report made by the District Manager, State Food Corporation, Saharsa, the subject FIR has been registered.

The learned counsel for the petitioner has submitted that with respect to each of the charges in the FIR, he cannot be held to be responsible. It has further been submitted that the petitioner has been working as an Executive Assistant on contractual basis and he had been assigned with the duty checking the quality of rice. He has nothing to do with the management of stocks.

It has also been submitted that co-accused/Satish Prasad Shrivastava has been granted



anticipatory bail by this Court *vide* order dated 28.02.2022 passed in Cr. Misc. No. 15150 of 2021.

Regard being had to the facts afore-stated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 160 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner shall, however, participate in the investigation and any attempt on his part to withhold necessary information from the investigating agency would render his anticipatory bail liable to be cancelled.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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

