

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70541 of 2021

Arising Out of PS. Case No.-320 Year-2021 Thana- AMARPUR District- Banka

SHRI NARAYAN SHARMA SALIL @ SHRINARAYAN SHARMA SALIL
Son of Devnarayan Sharma Resident of Village - Bhikhanpur, P.S.- Amarpur,
District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 188 and 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation against him is of not purchasing 616.93 paddy from 14 farmers despite the order of the informant and his senior officials.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the petitioner purchased paddy from 102 farmers though application from 164 farmers were received, it is next submitted that there is clear instruction by the Government



not to purchase paddy crops on the basis of assurance and unless cash credit is available. Learned counsel next submits that since cash credit was not available with the PACS as such the PACS could not purchase paddy from the farmers for which the petitioner had already petitioned the authorities including the DM of the district as would be evident from Annexure-4 and 5 but no action was taken and the present false case came to be instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Amarpur P.S. Case No. 320 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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