

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41072 of 2023

Arising Out of PS. Case No.-440 Year-2017 Thana- LAKHISARAI District- Lakhisarai

1. DIGAM KUMAR SON OF MAHAVIR PRASAD VILLAGE HASANPUR
PO MAHISONA PS AND DISTT LAKHISARAI
2. RAJESH KUMAR PANDEY @ RAJESH PANDEY SON OF LATE
HARDEV PANDEY RESIDENT OF VILLAGE- SISMA, PS-
MAHSAURA, PS- RAMGARH CHOWK, DISTRICT- LAKHISARAI
3. ANANDI YADAV SON OF RAMESHWAR YADAV RESIDENT OF
VILLAGE- BILAURI, PS- LAKHISARAI DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 406, 409,
420, 34 and 120B of the Indian Penal Code.
3. The informant alleges that for Financial Year 2015-
2016 and 2016-2017 under Paddy Procurement Scheme, crores
of rupees have been misappropriated by showing excess
procurement of paddy in connivance with officials of Vyapar
Mandal, SFC including the petitioners, further excess
procurement was shown by showing forged registration of



farmers and *bataidaars* and for storage of paddy her own rice mill was selected, it is next alleged that Sabikpur Panchayat procurement of paddy has been shown in the name of brother of the Chairman of Vyapar Mandal, Jairam Singh of 150 quintals for Rs. 2,22,750/-, similar procurements have been made for other gram panchayats as detailed in the FIR, it is next alleged that one Rohit in connivance with the District Manager, BSFC made forged document for paddy procurement.

4. The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that petitioners are Chairman Mahisona, Kachchiyana and Belauri Bags and there is no specific allegation against them except that they are named in the FIR, it is further submitted that an Inquiry Committee was constituted and the Inquiry Committee after holding a threadbare inquiry exonerated the petitioners of the allegations as alleged in the FIR, it is further submitted that Jairam Singh who was similarly situated like the petitioners were granted the privilege of anticipatory bail by order dated 20.09.2019 in Cr. Misc. No. 40293 of 2019 by a learned Coordinate Bench as the Inquiry Committee had also found the allegation against them to be false.



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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Lakhisarai P.S. Case No. 440 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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