

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65841 of 2022

Arising Out of PS. Case No.-367 Year-2017 Thana- ARARIA District- Araria

Md. Salik Mohsin S/o Md. Mohsin Uddin R/o Jokihat, P.S.- Jokihat, Distt-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office,
be removed within a period of four weeks from today.

In the present case, the petitioner is apprehending his
arrest in connection with Araria P.S. Case No. 367 of 2017,
registered for the alleged offence under Sections 467, 468, 406,
420, 120(B) of the Indian Penal Code.

As per prosecution case, allegation against co-accused
Rani Kumari is that she issued cash memos in the names of
farmers without selling any agricultural implements. She
presented cash memo of Rs. 61,82,000/- in the office of
informant and Rs. 12,48,500/- was transferred in the accounts of
the farmers. The allegation against the petitioner is that while he



was working as co-ordinator along with others are used to motivate the farmers for purchase of the agricultural tools at subsidized rates as provided by the Government, he was also involved in the said occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no allegation against the petitioner in the F.I.R. However, during investigation merely on suspicion, petitioner has been named in this case. The petitioner has a very limited role in motivating and informing the farmers regarding benefits of subsidy scheme. From the F.I.R., it is clear that the allegation is against co-accused Rani Kumari and she has been granted anticipatory bail by a Co-ordinate Bench vide order dated 23.08.2017 passed in Criminal Misc. No. 34941 of 2017. Other similarly placed co-accused persons, who were also working as co-ordinator, have been granted anticipatory bail by another Co-ordinate Bench vide order dated 13.12.2018 passed in Criminal Misc. No. 65638 of 2018.

Learned A.P.P. for the State opposes the prayer for bail.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



fact that no allegation or any specific over act is forthcoming in the FIR against the petitioner and similarly placed co-accused along with main accused have been granted anticipatory bail, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria/concerned court in connection with Araria P.S. Case No. 367 of 2017 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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