

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71002 of 2018**

Arising Out of PS. Case No.-22 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. M/s Sasamusa Sugar Works Pvt. Ltd. Sasamusa through The Managing Director.
 2. Mahmud Ali @ Mahmud Ali S/o Late Alhaj Amir Hassan, Managing Director, Sasamusa Sugar Works, Ltd., Sasamusa.
 3. Khawar Ali S/o Mahmud Ali @ Mahmud Ali Executive Director, Sasamusa Sugar Works Ltd., Sasamusa.
 4. Md. Kamran, S/o Mustaque Ahamad, Sugar Cane Manager, Sasamusa Sugar Works Ltd., Sasamusa
All are Resident of Village-Sasamusa, P.S. Kochaikot, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The learned counsel for the petitioners submits that the present quashing application has been filed seeking quashing of the order dated 06.08.2014 passed by the learned C.J.M., Gopalganj in G.C. No. 22 of 2014, whereby cognizance has been taken under Sections 52 and 53 of the Sugarcane Act. The learned counsel for the petitioners submits that the complainant,



i.e. Sugar Cane Officer, Gopalganj filed a Complaint No. G.C. 22 of 2014 alleging therein that, in spite of repeated order, the petitioner no.1 was not paying the sugarcane price to the farmers and thus was disobeying the orders for payment of the said price, further the complainant in detail had incorporated the money due by the petitioner no.1 to the farmers for the year 2013-14, it is further alleged that under Bihar Sugarcane (Regulation of Supply and Purchase) Act, 1981, the payment has to be made within 14 days and it was specifically brought to the notice of the petitioners vide office letter dated 09.01.2014, 16.01.2014, 19.01.2014, 30.01.2014, 12.02.2014, 15.03.2014 and 21.05.2014, but no steps were taken for making the payment, accordingly, a prayer was made to take appropriate action in terms of Section 52 and 53 of the Sugarcane Act.

3. The learned counsel for the petitioners next draws the attention of the Court to the order dated 16.03.2023 passed by the learned Co-ordinate Bench to submit that the learned Co-ordinate Bench after hearing



the parties in detail had come to a conclusion that the case against the petitioners be quashed. The learned counsel for the petitioners next submits that the dues of the farmers have been paid though little belatedly, further in terms of Section 52 and 53 of Sugarcane Act, the maximum punishment is six months or fine of Rs. 5,000/-. It is further submitted that in terms of the order dated 16.03.2023, the petitioners have deposited an amount of Rs. 5,000/- with the Patna High Court Legal Services Authority on 20.03.2023. It is next submitted that even the farmers have been paid and they are not raising any grievance and the Sugarcane Officer, Gopalganj has also granted no dues certificate in favour of the petitioners.

4. The learned A.P.P. for the State opposes the quashing application.

5. Considering the submissions made by the learned counsel for the petitioners and the facts that no dues certificate has been granted to the petitioners by the Sugarcane Officer, Gopalganj and also that the farmers have received their payment and they do not raise any



grievance against the petitioners, as such, the order dated 06.08.2014 passed by the learned C.J.M., Gopalganj in G.C. No. 22 of 2014, whereby cognizance has been taken under Sections 52 and 53 of the Sugarcane Act, is hereby quashed.

(Satyavrat Verma, J)

Nilmani/-

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