

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56728 of 2023

Arising Out of PS. Case No.-162 Year-2020 Thana- DHAMDHAHA District- Purnia

1. Anita Devi Wife Of Suresh Kumar Marandi Resident Of Village - Shish Tola Basdaha, P.S. - Dhamdaha, District - Purnea
2. Chinta Devi Wife Of Sat Narayan Mahto Resident Of Village - Lakshmi, P.O. - Basdaha, P.S. - Dhamdaha, District - Purnea
3. Gita Devi Wife Of Shiv Nandan Mahto Resident Of Village - Basdaha, P.S. - Dhamdaha, District - Purnea
4. Ajay Kumar @ Ajay Kumar Mahto Son Of Mangah Mahto Resident Of Village - Basdaha, P.S. - Dhamdaha, District - Purnea
5. Rakesh Kumar Son Of Adhik Lal Mahto Resident Of Village - Basdaha, P.S. - Dhamdaha, District - Purnea
6. Prakash Muni Son Of Kirtu Muni Resident Of Village - Tarouni, P.S. - Dhamdaha, District - Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 420 and 406 of the Indian Penal Code.

3. As per allegation in the FIR, all the F.I.R. named accused persons including these petitioners being the members of Management Samiti of Bardela PACS, Dhamdaha sold 1612



quintal paddy in the open market illegally and committed misappropriation of the government fund of Rs. 30,13,600/-.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case due to local politics. As per F.I.R., there is general and omnibus allegation against the petitioners and there is no specific allegation against them. They are only members of the PACS and all the responsibilities of the PACS are authorized to the Chairman and Secretary of the PACS. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. The chairman of the PACS namely, Chandan Kumar @ Chandan Mahto has already been granted bail by another co-ordinate Bench of this Court vide order dated 04.07.2023 passed in Cr. Misc. No. 16742 of 2023. Moreover, petitioner no. 1 to 5 are languishing in judicial custody since 13.06.2023 and petitioner no.6 Prakash Muni is languishing in judicial custody since 01.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as



period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Purnea in connection with Dhamdaha P.S. Case No. 162 of 2020.

(Sunil Kumar Panwar, J)

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