

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81432 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- RAHIKA District- Madhubani

1. Jameel Ahmad Son of Ghulam Ahmad R/o - Ijra, P.S - Rahika, District - Madhubani
2. Md. Nasim Son of Md. Ilyas @ Md. Ilyas R/o - Ijra, P.S - Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar through the Dist. Co-operative Prasar Officer, Madhubani
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 26-11-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Rahika Police Station Case No. 161 of 2024, disclosing offences under Sections 406, 409, 420, 34 of the Indian Penal Code.
3. Petitioner no. 1 is PACS Manager and petitioner no. 2 is the Chairman of Ijra PACS.
4. As per the prosecution case, PACS in question procured 3384 quintals of paddy on minimum support price and at the time of inspection, 846 quintals of paddy was found short.
5. Learned Counsel for the petitioners submits that the



petitioners after purchase of paddy from the farmers supplied the same to the rice miller. As per the FIR, 2538 quintals of paddy was supplied and 846 quintals of paddy was found short. Learned counsel submits that 846 quintals of paddy was actually not procured by the petitioners. However, the petitioners have deposited a sum of Rs. 19,97,833/- equivalent to cost of 846 quintals of paddy on 02.09.2024 in the cash credit account of Ijra PACS of Rahika Central Property Bank which would be evident from the statement of account of the PACS annexed at Annexure 2 Series. He further submits that the concerned bank has given a certificate in favour of the PACS on 04.09.2024 stating that no amount is due from the PACS in question.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the submission for the purpose of anticipatory bail that value of 846 quintals of paddy to the extent of Rs. 19,97,833/- has been deposited by the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Madhubani, in connection with Rahika Police Station Case No. 161 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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