

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23089 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- Shahartelpa P.S. District- Arwal

Janeshwar Saw, aged about 59 years, Male, Son of Late Bakhara Saw @
Bakhora Saw, Resident of Village - Chauharchak, P.S.- Sahar Telpa, District -
Arwal (Jehanabad), Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Shahar
Telpa P.S. Case No. 115 of 2024 dated 05.10.2024 registered for
the offences punishable under Sections 316(5) and 318(4) of the
B.N.S., 2023.

3. As per the prosecution case, the informant who is
the Co-operative Extension Officer has stated that during the
Monsoon Crops Season year 2023-24, the Chairman Janeshwar
Sao (petitioner) and the PACS Manager Sanjeet Kumar who
were authorized by Chauhar PACS, on the minimum support
price, total 2174 quintals of paddy @ Rs. 2208/- per quintal
was purchased from 35 farmers. It is further alleged that out of



total of 2174 quintals of paddy, 1280.56 quintals of paddy were transferred to the concerned Mill for which CMR 870 quintals including FRK was supplied to the State Food Corporation, Arwal. It is further alleged that on the instruction of the District Co-operative Officer, Arwal, the informant made a physical verification of the PACS Godown on 20.09.2024 and after verification, it was found that 893.44 quintals of paddy amounting to Rs. 19,72,715.52 was not available on the PACS Godown and on query, no satisfactory reply was given about 893.44 quintals of paddy and the Chairman of the PACS told that till the extended date i.e., 30.09.2024, CMR will be deposited to the Bihar State Food Corporation, Arwal but till date CMR has not been deposited by him as stated by the Chairman of the PACS. It is further alleged that the Chairman of Chauhar PACS has misappropriated the balance of 893.44 quintals of paddy amounting to Rs. 19,72,715.52 excluding interest made by the Co-operative Bank.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that at the time of verification of the godown, the godown in question was going to be under repairing and at that time, godown was not fit for collecting the



paddy crops according to its strength so the rest purchased paddy was sent and collected to other places for considering its security and the said matter has been properly convinced to the informant but under a conspiracy of other villagers who have inimical terms with the petitioner, the present false case has been lodged against the petitioner and other co-accused person. It is further submitted that the PACS Chairman is an elected person so a proper time and opportunity should be given to him for considering the genuine approach to the matter. It is further submitted that the petitioner is ready to pacify the matter in accordance with the circular of the Government under a healthy atmosphere and also ready to follow the guideline of this Court as stated in paragraph no. 10 of the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 17.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned C.J.M., Arwal (Jehanabad) in connection with Shahar Telpa P.S. Case No. 115 of 2024 with further conditions:-

- (I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.
- (II). The petitioner is directed to co-operate in the trial and on failing which, the prosecution will be at liberty to file an application for cancellation of his bail bond.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

