

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25190 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- MURAR District- Buxar

Ajeet Kumar @ Ajit Kumar Son of Late Ashok Kumar Incharge of Bihar Stte Seeds Corporation, Bazar Samiti, Buxar, P.O.- Buxar, P.S.- Buxar (town), District- Buxar and resident of village- Road no.4, Rewa Road, Sir Ganesh Datt Nagar, Bhagwanpur, P.S.- Bhagwanpur (Sadar), District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Seeds Corporation Ltd. Bihar
3. Azat Shatru Singh S/o Jai Singh R/o vill and P.O- Chaugai, P.S.- Murar, Distt- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Sanket, Advocate
	:	Mr. Navin Kumar Singh, Advocate
For the BRBN	:	Mr. Nalin Vilochan Tiwary, Advocate
	:	Mr. Aditya Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

14 13-05-2025 Heard the parties and perused the case diary.

2. The petitioner seeks bail in connection wit Murar P.S. Case No. 39 of 2023 instituted for the offences under Sections 420, 409 of the Indian Penal Code.

3. Prosecution case, in short, is that, petitioner bought paddy worth Rs. 24,96,246 from the informant but paid only Rs. 12,51,246 and the remaining Rs. 12,45,000/- was never paid to the informant. It is further alleged that cheques given by the petitioner bounced due to a closed account, leading to the



allegation of fraud and misappropriation.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case and the allegations levelled against him are false and concocted. Learned counsel further submitted that petitioner is a Lower Division Clerk cum in-charge of purchase centre of Bihar State Seeds Corporation. Learned counsel further submitted that petitioner never paid the amount to the informant as alleged in the FIR and the entire prosecution case is false and concocted one. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.11.2023 and has seven criminal antecedents.

5. Learned A.P.P. for the State, learned counsel for the informant and learned counsel appearing on behalf of Bihar State Seeds Corporation vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the Opposite Party Nos. 2 and 3 have also filed counter-affidavits. Learned counsel for the OP No. 2 submitted that this petitioner, who is the in-charge of the purchase centre of Bihar State Seeds Corporation has not only cheated the poor farmers but has also duped the Corporation by misappropriation of government funds. Learned counsel for OP No.2 further submitted that



petitioner is under suspension and department enquiry is also going on against him. Learned counsel for the informant submitted that petitioner purchased paddy from him for Rs. 24,96,246/- and out of which he has paid Rs. 12,51,256/- in cash and for the rest amount, he gave three cheques but the same were dishonoured and in support of the same, he has annexed the said cheques at Annexure-P/3 to the counter-affidavit. Learned counsel for the informant further referring to paragraph no. 8 of the counter-affidavit submitted that when the cheques issued by the petitioner were dishonoured, he sent legal notices to the petitioner stating that cheques provided by him had been dishonoured and requested the payment for the same but the petitioner did not pay the said amount. Learned counsel for the informant further submitted that petitioner has total seven criminal antecedents of similar nature and is a habitual offender of such type of cases and, therefore, he does not deserve to be released on bail. Learned APP for the State submitted that as per material available in the case diary, this petitioner has himself confessed his guilt, thus, there is ample material against the petitioner including the cheques issued by him to prove the allegations against him as levelled in the FIR and, therefore, petitioner may not be released on bail.



6. Considering the aforesaid facts and circumstances of the case, there being ample material against the petitioner to prove his involvement in the alleged occurrence as also there being seven criminal antecedents of the petitioner of similar nature, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial without any undue delay and unnecessary adjournment.

(Rudra Prakash Mishra, J)

Alok Verma/-

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