

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74686 of 2024

Arising Out of PS. Case No.-292 Year-2024 Thana- BIKRAM District- Patna

Nitya Nand @ Nityanand Son of Late Sadhu Saran Sharma Village-
Akhtiyarpur, P.S. -Bikram, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 18-01-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Bikram P.S. Case No. 292 of 2024 dated 23.07.2024
registered for the offence punishable under Sections 318(4),
316(5), 3(5) of the B.N.S.

3. The prosecution case, in short, as per F.I.R., is
that during physical verification in the year 2023-24 a total
1101.08 MT paddy was purchased and the same was
physically verified by the Block Development Officer,
Bikram. Out of the said paddy 174 MT C.M.R. was made
available to S.F.C. and equivalent to that 216.40 MT paddy
was made available online to mill and the remaining 884.68



MT paddy was to remain in the PACS *godown* but during verification on 23-07- 2024, it was revealed that no paddy was available in the said *godown*. Allegedly, a total 884.68 MT paddy was sold by the PACS Chairman and other members of the PACS including the petitioner in open market and total sale amount Rs. 1,95,33,734/- were misappropriated by them.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that *vide* Resolution dated 11.01.2024, the Chairman of the PACS had been authorized by the Executive Committee to take loan and purchase the paddy. The paddy was under direct supervision and control of the PACS, Chairman. The petitioner is one of the member of the PACS, who has no authority to purchase the paddy on behalf of the Chairman or PACS. It is also submitted that the petitioner had never been aware of the transaction. It is further submitted that the court below itself has passed order for not taking any coercive steps against the PACS, Chairman. Lastly, it has been submitted that the petitioner is in custody since 18.08.2024, having no



criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Danapur, Patna in connection with Bikram P.S. Case No. 292 of 2024.

(Khatim Reza, J)

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