

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84549 of 2024

Arising Out of PS. Case No.-158 Year-2022 Thana- TAJPUR District- Samastipur

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Pramod Kumar Suman S/o- Gajendra Bhagat Vill-Madhopur Dighrue Ward
No.9,P.O-Madhopura Dighrue,P.S-Tajpur, Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md Taufik Alam S/o Md Abbas Samsi Village and Post Madhopur Digharua
P S Tajpur Dist Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, A.P.P
For the Informant	:	Ms. Ankita Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard Learned counsel for the petitioner, Learned
A.P.P for the State and Learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Tajpur P.S. Case No. 158 of 2022 lodged on 06.04.2022, for the offence punishable under Sections 341, 323, 307, 379, 419, 420, 504, 506 & 34 of the Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against the petitioner and three unknown persons. It has been alleged in the FIR that informant went to Calcutta on 23.03.2022 for personal work and returned on 28.03.2022 at about 11 p.m and



when he reached at the office of society, the informant saw that paddy was fallen here and there and then he was informed that the petitioner visited the office of Primary Agriculture Credit Society Ltd (in short 'PACS') and took away all the paddy with himself with the help of labour. When the informant along with Executive Chairman visited the residence of petitioner, then he abused them and also threatened them. It has been alleged that petitioner has taken 860 quintal paddy which was to be sent to the SFC. It has also been alleged that on 05.04.2022, three unknown miscreants came and fired three shots at the house of the informant. Thereafter, the present case has been lodged.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that informant is the Chairman of PACS and petitioner is the former Manager of the PACS and petitioner's name has unnecessarily been inserted in this case. Counsel submits that the a criminal case bearing Tajpur P.S. Case No.419 of 2022 has been lodged against the informant for misappropriating 860 quintals of paddy @ 1965 amounting to Rs. 16,89,900/- (Rupees Sixteen Lakh Eighty Nine Thousand Nine Hundred) which is annexed as Annexure-P/3. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are



three cases pending against him in which in two cases, he is on bail and in one case, he is acquitted. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that it is the petitioner who is the master mind and kingpin in this issue for grabbing the huge quantity of grains even after repeated assurance to return the same.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the records, it transpires that 860 quintals of paddy is the subject matter of the present dispute. Counsel further submits that the criminal antecedent of the petitioner is not clean and this aspect may be taken into consideration.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. However, if petitioner surrenders before the Trial Court within a period of six weeks from today and showing the entire transaction of the grains then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application



on the same day without being prejudice that the anticipatory
bail of the petitioner has been rejected by this Court and the
Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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