

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90368 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- PAKRIDAYAL District- East Champaran

1. Chandrika Kumar S/O Bhikhari Pandit Resident of village - Siraha, P.S- Pakaridayal, District - East Champaran
2. Ramayodhya Paswan Son of Krit Paswan Resident of village - Siraha, P.S- Pakaridayal, District - East Champaran
3. Dhirendra Kumar Son of Rajdev Bhagat Resident of village - Siraha, P.S- Pakaridayal, District - East Champaran
4. Beena Ram Son of Digvijay Paswan Resident of village - Siraha, P.S- Pakaridayal, District - East Champaran
5. Poonam Kumari Daughter of Arun Kumar Resident of village - Siraha, P.S- Pakaridayal, District - East Champaran
6. Suman Devi Wife of Chandrika Kumar Resident of village - Siraha, P.S- Pakaridayal, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-02-2025 1. Heard learned Counsel for the petitioners and
learned APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Pakaridayal P.S. Case No. 22 of 2024, disclosing
offences under Sections 406, 409, 420 of the Indian Penal Code.

3. As per the First Information Report, the informant,
Jitendra Kumar Churasia posted as Block Cooperative
Extension Officer, Pakaridayal alleged that in the Kharif
marketing year 2022-23, 9978 quintal paddy was purchased



from the farmers through the cash credit loan provided by co-operative bank in the account of Sirhan PACS. After receiving the advance CMR (rice) from the concerned rice mill equivalent amount of paddy was to be sent to the rice mill. A total quantity of 6785 quintal of CMR (rice) equivalent to 68 percent of purchased paddy was to be supplied to the State Food Corporation but only 4605.6 quintal CMR (rice) were supplied to the State Food Corporation and the remaining 2179.4 quintal CMR (rice) has been misappropriated by the Sirhan PACS. After expiry of the prescribed time period, the president/manager of the Sirhan PACS was directed to deposit the amount equivalent to paddy, amounting to Rs. 66,18,446 along with interest, in the account of the committee but till date the same amount has not been deposited by the Sirhan PACS.

4. Learned counsel for the petitioners submitted that petitioners have committed no offence in the manner alleged and from the perusal of the FIR it would be evident that the president/manager of the Sirhan PACS were responsible for the alleged offence for which they were directed to deposit the defalcated amount of Rs.66,18,446 in the account of the committee. The President of PACS, namely, Virendra Prasad and Manager of PACS, namely, Sunny Dev Kumar are in



custody. The petitioners are only members of the Sirhan PACS and not responsible for purchase and supply of the paddy.

5. Regards being had to the submission advanced on behalf of the parties and taking into consideration the nature of the allegation and the fact that the petitioners are members of Sirhan PACS and the President and Manager of Sirhan PACS are already in custody, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 22 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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