

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5059 of 2015

Arising Out of PS.Case No. -34 Year- 2014 Thana -COMPLAINT CASE District- SUPAUL

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Jitendra Mishra Son of Sri Shashi Bhushan Mishra, resident of village - Ganeshpur, P.S. - Puraini, District - Madhepura, The Managing Director, the Kashi Central Co-operative Credit Society Ltd, Head Office Gandhi Path, Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Kumar Kamat, son of Late Ram Ranjan Kamat, R/o Kunoli, P.S. Kunoli, District Supaul.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rakesh Kumar Jha, Advoate.

For the State : Mr. Ajay Kumar-2, A.P.P.

For the Complainant : Mr. Anupa Nand Jha and
Mr. Santosh Kumar Singh, Advocates.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 21-04-2015 Heard both sides.

The petitioner seeks bail in a case under Section 406 and other sections of the Indian Penal Code.

The complainant made allegation that he, being the agent of Kosi Central Co-operative Society Limited, deposited Rs. 13,20,375.00 in Kunoli Branch of the Society but the creditors are not getting their money after maturation. It is submitted that the petitioner is the Managing Director. He did not defalcate any amount but the amount was disbursed to the loanees, who did not repay the same, and on account of such, the money could not be returned to the creditors / account holders after maturation. No

specific allegation of defalcation is made against the petitioner.
The petitioner is in jail since 17.07.2014.

Learned counsel for the complainant has not pointed out any specific allegation of defalcation against the petitioner.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Birpur, Supaul in Complaint Case No. 34(C)/14.

(Prabhat Kumar Jha, J)

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