

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46351 of 2014

Arising Out of PS.Case No. -117 Year- 2013 Thana -BIRPUR District- SUPAUL

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Jitendra Mishra Son of Shashi Bhushan Mishra Resident of Village -
Ganeshpur, P.S. - Puraini, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

7 22-06-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 419, 420, 409, 467, 468,
471, 120B/34 of the Indian Penal Code, Sections 68/58(A)
of the Companies Act, 1956 and Section 58(B)(1)(II) &n
(III) of the R.B.I. Act, 1934.

It is submitted that the petitioner was the Managing
Director of the Koshi Central Credit Society Ltd., Saharsa,
which is a non-banking society. It is not registered under the
Companies Act, 1956. The Cooperative Society is registered
under the Bihar Self Supporting Cooperative Societies Act,
1996. The Cooperative Society is a voluntary organization
and permits taking deposits from its members and granting
loan to them and even it permits to accept deposits from non-
members. During investigation it has not been found that it
has misappropriated the money of any member. After
investigation chargesheet has also been submitted but it
has not been found as to whether the petitioner has cheated

any member. There is no chance of tampering with the witnesses. The petitioner has been in custody since 8.7.2014 in this case and in other cases he has already been granted bail.

Learned counsel for the State could not controvert the contention of the petitioner while opposing the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Birpur, District-Supaul in Birpur P.S. Case no. 117 of 2013 with the following conditions.

- 1) One of the bailors will be the close relative of the petitioner.
- 2) The petitioner will not indulge in similar or in any other offence.
- 3) The petitioner will be well represented in the court
- 4) In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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