

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44962 of 2014**

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

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1. Sunil Kumar Mandal Son of Bhudeo Mandal Branch Manager, The Koshi Central Co-operative Credit Society Limited, Branch - Kunauli, Supaul, Resident of Nadiyama, P.S. - Goradi, District- Bhagalpur.
2. Purushotam Kumar Son of Ramavtar Yadav The Koshi Central Co-operative Credit Society Limited Branch Offic- Kanauli Cum Nirmali, Supaul. Resident of Village Gouhatta, Post - Budhuchak, P.S. - Shivrinarayanpur, District- Bhagalpur.
3. Indra Bhushan Yadav Son of Hiban Yadav, Assistant Cashier, The Koshi Central Co-operative Credit Society Limited, Branch Kunauli, Supaul, Resident of Village - Dhobai, Post + P.S. - Tarapur, District- Munger.
4. Pappu Kumar Yadav Son of Ambika Prasad Yadav, Caisher, The Koshi Central Co-operative Credit Society Limited, Branch Kunauli, Supaul, Resident of Village - Mohanpur, Post - Govindpur, P.S. -Pirpainty, District - Bhagalpur.

.... .... Petitioner/s

VERSUS

THE STATE OF BIHAR & ANR. .... .... OPPOSITE PARTY/S

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with

**Criminal Miscellaneous No.1703 of 2015**

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

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Anuj Kumar Singh son of Bhawan Prasad Singh resident of Ward No. 2, Naya Bazar, Nariyar Road Town and P.S. and district Saharsa, posted as Manager (Loan), The Koshi Central CO-operative Credit Society Ltd., Gandhi Path, Saharsa.

.... .... Petitioner/s

VERSUS

THE STATE OF BIHAR & ANR. .... .... OPPOSITE PARTY/S

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**Appearance:**

(In Cr.Misc. No.44962 of 2014)

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.  
For the Opposite Party/s : Mr. Rajesh Kumar (App)

(In Cr.Misc. No.1703 of 2015)

For the Petitioner/s : Mr. Rakesh Kumar Jha, Adv.  
For the Opposite Party/s : Mr. Arun Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

6      06-07-2015      Counter affidavit has been filed on behalf of opposite party no.2.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor assisted by learned counsel for the opposite party no.2.

Criminal Miscellaneous No.44962 of 2014 wherein Sunil Kumar Mandal, Purushotam Kumar, Indra Bhushan Yadav, Pappu Kumar Yadav happen to be the petitioners while Criminal Miscellaneous No.1703 of 2015 wherein Anuj Kumar Singh is the petitioner commonly originate from Complaint Case No.34(c) of 2014 wherein cognizance has been taken under Sections 406, 420, 467, 468, 471, 120(B) of the IPC, hence there has been analogous hearing and are decided by a common order.

The status of the petitioners have been identified in the complaint petition itself to be an employee of the Koshi Central Co-operative Credit Society Ltd. wherein complainant, as an agent, deposited the amount against individual depositors on due collection and on account thereof, it could not be said that in its individual capacity entrustment was made in favour of petitioners nor the status of the petitioners have been identified to be member of Board of Directors commanding the pillar of the institution.

Accordingly, petitioners **Sunil Kumar Mandal, Purushotam Kumar, Indra Bhushan Yadav, Pappu Kumar Yadav, Anuj Kumar Singh** each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned **Sub-divisional Judicial Magistrate, Birpur, Supaul** in connection with **Complaint Case No.34(c) of 2014** in the event of their arrest / surrender within four weeks from production / receipt of the order in terms of condition so laid down under Section 438(2) Cr.P.C.

**(Aditya Kumar Trivedi, J.)**

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