

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9636 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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1. Kabilash Rai S/o Kapildeo Rai, Resident of village- Shahpur, P.O.-
Pahleja, P.S.- Sonpur, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Branch Manager, Bihar State Co-operative Bank, Chapra

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai

For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 20-06-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 409, 420 of the Indian Penal Code.

Ramanuj Kumar, Branch Manger of the Bihar State
Co-operative Bank, Chapra branch, lodged case against all the
Chairmans of PACS falling in the district of Saran, Chapra making
allegation of defalcation/ misappropriation of huge amount by
them by issuing cheques to the farmers but not purchasing the
paddy.

The learned counsel for the petitioner submits that
petitioner is member of the PACS and Dharmnath Rai was the
Chairman of the PACS and petitioner did not either receive any

money or issued cheque to any of the farmers in lieu of purchasing paddy.

The learned Additional Public Prosecutor did not show any paper to show that petitioner issued any cheque to any farmer in lieu of purchasing paddy. It is further submitted that similarly situated accused, Rekha Devi, Wakil Prasad Yadav and others and Rajeev Kumar Sinha and another have already been granted anticipatory bail by this court.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, 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 Chief Judicial Magistrate, Saran at Chapra in Chapra Town P.S. Case No. 106 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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