

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15082 of 2016

Arising Out of PS.Case No. -89 Year- 2015 Thana -GARKHA District- SARAN

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Anil Singh, son of Late Pashupati Singh, R/o Village – Rasidpur, P.S. –
Garkha, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Co-operative Officer, Saran at Chapra

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-04-2016

Heard both sides.

The petitioner apprehends his arrest in a case under Sections 406, 353 of the Indian Penal Code and Section 45(A)/(B) of the Bihar Co-operative Societies Act, 1935.

The case is instituted only because the petitioner being the outgoing Chairman of PACS did not hand over charge of PACS after losing the election. It is submitted that the predecessor of the petitioner did not hand over charge of PACS to him, that is why, he also did not hand over charge to his successor. There is no allegation of misappropriation of PACS money or any property. The case has been lodged without sanction as provided under Section 27 of the Bihar Co-operative Societies Act, 1935.

Considering the facts aforesaid, 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 Garkha P.S. Case No. 89/2015, 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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