

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44148 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -MARAUNA District- SUPAUL

- =====
1. Shambhu Prasad Sah, Son of Late Ramrup Sah.
 2. Shatrughan Prasad Sah, Son of Shambhu Prasad Sah, are resident of Village- Itehari, Police Station- Marauna, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Marauna P.S. Case No.65 of 2016 registered under Sections 406, 420 and 120-B/34 of the Indian Penal Code, pending in the court of Sri K.K. Deo, Judicial Magistrate, Supaul.

The accusation is that the petitioner no.1 being the Chairman and the petitioner no.2 being the Assistant Manager of Lalminia PACS received the money as collected by Manoj Kumar, the Daily Collection Agent, from the account holders of the PACS but the amounts, which are Rs.1,42,320/-, were not deposited in the account of the account holders of the PACS.



Learned counsel appearing on behalf of the petitioners submits that, in fact, the occurrence is said to be taken place in between 01.06.2009 to 13.06.2015 but in that period, no any case was lodged against the petitioners. When the petitioner no.1 lost the election of Chairman of the PACS then the present case was lodged. Moreover, the audit report is in favour of the petitioners.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within six weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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