

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44336 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -SURSAND District- SITAMARHI

=====

Sanjay Singh, son of Late Raj Nandan Singh, resident of Village- Malahi,
P.S.- Sursand, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. The Branch Manager, Sitamarhi Central Co-Operative Bank Ltd.
Sursand Branch, Sitamarhi.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party : Mr. Rajesh Kumar, APP.

For the O.P. No.2 : Mr. Rakesh Kumar Jha, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 420 and 409 of the Indian Penal Code.

There is allegation against the petitioner that being
PACCS Chairman and Member of Executive namely Sudhir
Kumar Singh have misappropriated a sum of Rs. 4, 98, 590/-,
which they have taken on cash-credit from the said bank for
purchase of paddy and so they have committed breach of trust the
cheating.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 22.07.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of

witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The petitioner is the Chairman of the PACCS. It is further submitted that the petitioner is ready to deposit the amount of Rs. 3, 96,000/- within a period of six months from the date of release.

On behalf of the state and the counsel for Sitamarhi Central Co-operative Bank Ltd. submitted that if the petitioner returns the money, he has no objection.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on provisional bail for a period of six months on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Lal, Judicial Magistrate, 1st Class, Pupri at Sitamarhi, in connection with Sursand P.S. Case No. 05 of 2016. The petitioner is directed to deposit the amount of Rs. 3, 96,000/- within a period of six months from the date of receipt/production of this order and file the **certificate** issued by the Co-operative Bank, in respect of receiving of the said amount. If the said certificate is filed within the said period, the court below shall confirm the provisional bail granted to the petitioner.

(Sudhir Singh, J.)

Amit/-

U		T	
---	--	---	--