

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5108 of 2017**

Arising Out of PS.Case No. -96 Year- 2007 Thana -BACHHWARA District- BEGUSARAI

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Ramakant Rai, son of late Mehilal Rai, resident of village- Rupaswaj, P.S.-  
Bachhwara, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Babita Kumari, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4/ 20-03-2017

Heard learned counsel for the Petitioner and the  
State.

The Petitioner apprehends his arrest in Bachhwara  
P.S. Case No.96 of 2007 instituted for the offence under  
Section(s) 406, 409, 467, 419, 420, 471 Indian Penal Code  
pending in the Court of the Chief Judicial Magistrate, Begusarai.

It is alleged that in the light of the complaint  
received against Rupaswaj Jhamatia PACS for misappropriation  
of amount collected from loan account, Begusarai Central Co-  
operative Bank Ltd. constituted enquiry committee consisting of  
three members. As per the report submitted by enquiry  
committee, Rupaswaj Jhamatia PACS was given total 27 volume  
receipt from 1984 to 2001 and the petitioner made available only  
17 volume receipts. The enquiry further revealed that from  
30.03.1988 to 30.04.2001, the petitioner had received  
₹46,64,302.65 from loanee but he has deposited only



₹30,14,867.35 and misappropriated rest amount. It is further alleged that the petitioner did not deposit receipt no.21301 to 21400 and 158701 to 158800. The informant has stated that from these receipts also it would appear that the petitioner has misappropriated some more amounts. It is also alleged that petitioner after receiving notice vide letter no.746 dated 13.12.2006 did not produce the record and misappropriated the amount.

It has been submitted on behalf of the petitioner that money was received by Paid Managers, namely, Ramchandra Das, Bindeshwari Yadav and Triveni Rai.

It is admitted position that the petitioner was the Chairman of Rupaswaj Jhamatia PACS at the relevant time and, in this manner, was responsible for deposit of the amount, which is alleged to have been misappropriated.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

**(Sanjay Priya, J)**

JA/-

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