

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11955 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Gopal Mehta, son of Late Baleshwar Mehta,
2. Neeraj Paswan, son of Shyamdeo Paswan, Both resident of village-
Kushaha, P.S.- Bhawanipur, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 10-04-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bhawanipur P. S. Case No. 147 of 2016 registered for
offences punishable under Sections 420, 409, 120 (B)/ 34 of the
Indian Penal Code.

Accusation is that the petitioner being the Chairman
and Executive Member/Committee Manager of PACCS of Jabe
Panchayat, took cash credit loan to Central Co-operative Bank,
Bhawanipur, to purchase paddy to the farmers to supply the rice



after milling the Bihar State Food Corporation, Banmankhi CMR Centre but he did not supply the rice and misappropriated Rs.4,09,746.00.

Learned counsel for the petitioners submits that the petitioners purchased 2254.32 quintal paddy from the local farmers against which 1510.39 quintal rice was to be supplied but the petitioners only supplied the 1320.09 quintal rice. As such 190.03 quintal rice worth Rs.409746/- could not be supplied. But the petitioners deposited Rs4,09,746/- in the Purnia District Central Co-operative Bank, Bhawanipur Branch on different dates and to this effect the Purnia District Central Co-operative Bank, Bhawanipur Branch has issued "No Dues Certificate" in favour of the petitioners on 3.9.2016 which would appear from Annexure-2 series and Annexure-3.

Having considered the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate – I, Purnia in connection with Bhawanipur P.
S. Case No. 147 of 2016 corresponding to G.R. Case No. 2650 of
2016, subject to the conditions as laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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