

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7673 of 2017

Arising Out of PS.Case No. -46 Year- 2015 Thana -DAWATH District- SASARAM (ROHTAS)

=====

Kameshwar Choubey, son of Late Gopal Choubey, Resident of Village-Simari, P.S.- Dawath, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Kanhaiya Pandey, Advocate.

For the Opposite Party : Mr. Umesh Lal Verma, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-04-2017 Heard both sides.

The petitioner apprehends his arrest in Dawath P.S. Case No. 46 of 2015 registered for the offences punishable under Sections 406, 409 and 120B of the Indian Penal Code.

The petitioner was chairman of Dawath PACS. During tenure of the petitioner a “Jamavridhhi Yojana” was started. The petitioner and Binod Dubey committed illegality and defalcated a sum of Rs. 83 lakhs.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 16.08.2016 but the petitioner again moved to this Court for grant of anticipatory bail on the ground that on same and similar allegation one Khurshi Hussain filed Dawath P.S. Case No. 3



of 2015 against the petitioner and others and the petitioner was granted bail by Sessions Judge, Sasaram at Rohtas in the aforesaid case.

It appears that one individual filed the case of defalcation against the petitioner who was chairman of the PACS. The present case was filed by the Cooperative Extension officer and the allegation is made on the basis of the audit report that the petitioner being chairman started scheme of “Jamavriddhi Yojana”, took deposits from the different customers and thereby defalcated a sum of Rs. 83 lakhs of different depositors.

Considering the facts aforesaid, I do not find any new ground to reconsider the prayer for anticipatory bail of the above named petitioner. Accordingly, prayer for anticipatory bail is again rejected.

(Prabhat Kumar Jha, J.)

KKSINHA/-

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

