IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52559 of 2016

Arising Out of PS.Case No. -87 Year- 2010 Thana -CHANDI District- NALANDA (BIHARSHARIFF)

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1. Jeet Sinha, son of Shailendra Kumar, resident of village- Akair, P.S. Chandi, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-01-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks bail in Chandi P.S. Case No. 87 of 2010 instituted for the offence under Section(s) 419,420, 406/34 Indian Penal Code.

As per the written report submitted by the Assistant Registrar, Co-operative Societies, Hilsa Anchal, allegation has been levelled for committing forgery, cheating and misappropriation of government money against Sri Shailendra Kumar, the then Chairman, Akair PACCS and his son Jeet Sinha (petitioner), who was co-opted as Chairman after resignation of then Chairman, Ram Swaroop Prasad. It is alleged that this petitioner along with Shailendra Kumar attempted to take advantage of economic package of Govt. of India and Bihar Govt. by showing distribution of false loan to different laonees between the years 1990 to 2008 after depositing false security. It is further alleged that Shailendra Kumar attempted to take advantage of the scheme of Agriculture Loan Mafi Yojna by showing more recovery and these facts have been detected after audit of the said PAACS on 09.06.2008 and on enquiry report submitted by the Managing Director, Nalanda Central Co-operative Bank, vide letter nos.533/820 dated 04.12.2008/27.03.2009.

The learned Sessions Judge has mentioned in the impugned order that witness Rajeev Kumar and Sudhir Bharti in para 36 and 37 have stated about the distribution of loan in the name of fictitious persons, which fact has been supported by witness Kaushlendra Kumar in para 38, who was posted as Peon in the office of the Assistant Registrar, Co-operative Societies, Hilsa and by distributing the loan in the name of fictitious persons money has been misappropriated by the accused persons. Similar statement has been given by witness Ashok Kumar in para 58 of the Case Diary. The Auditor in its Audit Report has found the forgery and misappropriation done by this petitioner and his father Shailendra Kumar.

The police after completing the investigation has submitted charge-sheet as per para 641 of the Case Diary against the petitioner under Section(s) 419, 420 and 406 Indian Penal Code.

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

Prayer for bail is rejected.

(Sanjay Priya, J)

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