

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47918 of 2017

Arising Out of PS.Case No. -287 Year- 2010 Thana -SAHARSA District- SAHARSA

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Shyam Kumar Verma @ S. K. Verma Son of Late Deoki Nandan Prasad ,
Ex. Chief Executive Officer, Central Bank Employees Savings and Credit
Self Supported Co-Operative Society Ltd. Supaul, R/o Jay Prabha Nagar,
Kayastha Tola, P.S.- Saharsa Town, District- Saharsa.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Verma

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Saharsa P.S. Case No.
287 of 2010 instituted for the offence under Sections-406, 420, 409,
120B, 504 of the Indian Penal Code.

It has been submitted that the petitioner was Chief
Executive Officer of the Central Bank Employees Saving & Credit Self
Support Co-cooperative Society Ltd. for a short period from 20-11-
2004 to 25-09-2005. It is mentioned in para 11 of the bail petition that
he has resigned from the Society on 25-09-2005. This case has been
registered in the year, 2007 alleging that the petitioner has defalcated an
amount of Rs. 71,200/- as per pass book and when the money was
matured, the complainant went to the said office and came to know that



all the officers and staff have left the place.

It has been submitted that the aforesaid society has already been dissolved by the order of the Hon'ble Court and in this respect, Gazette Notification was issued vide Annexure-6 and the District Magistrate, Supaul has been appointed as liquidator. This petitioner has been made accused in another case lodged by different depositor with similar allegation, in which, the petitioner has been granted anticipatory bail by coordinate bench of this court vide order dated 21-07-2017 passed in Cr. Misc. No. 27990 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Saharsa P.S. Case No. 287 of 2010 to the satisfaction of learned Chief Judicial Magistrate, Saharsa subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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