

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36797 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -MADHWAPUR District- MADHUBANI

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1. Ajay Mishra @ Ajay Kumar Mishra, son of Maheshwar Mishra, R/o village- Pali, P.S.- Benipatti, District- Madhubani, presently posted as Branch Manager, Rahika Central Cooperative Bank, Benipatti, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Narayan Choudhary, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

Mr. Ashok Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 06-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Madhwapur P.S.

Case No.38 of 2017 instituted for the offence under Section(s) 406, 409, 419, 420, 467, 468/34 Indian Penal Code pending in the Court of the Additional Chief Judicial Magistrate, Madhubani.

There is allegation against this petitioner that he being the Branch Manager in conspiracy with Chairman, PACS, and the Cashier, has defalcated huge amount of beneficiaries by withdrawing amount on the basis of forged signature of beneficiaries.

Learned Sessions Judge has mentioned in the



impugned order that several beneficiaries have stated before the police during investigation about such forged withdrawal of money by the petitioner and other accused persons.

Counsel for the beneficiaries has appeared and submitted that about 200-300 beneficiaries have lodged complaint about such illegal withdrawal of money of KCC loan by the petitioner and other accused persons.

The learned APP after looking into the case dairy has submitted that several beneficiaries have stated before the police about such illegal withdrawal by the petitioner and other accused persons on the basis of forged signature of the beneficiaries.

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

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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