

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4162 of 2016

Arising Out of PS.Case No. -218 Year- 2014 Thana -BARUN District- AURANGABAD

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1. Manoj Sao Son of Haricharan Sao Resident of village - Khaira Ithat, P.S.
Barun, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food Civil Supplies Corporation

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar 2 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

7 09-02-2017 Heard the learned counsel for the petitioner as well as

the learned counsel for the B.S.F.C.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Barun P.S. Case No. 218 of 2014 for the offences punishable under sections 406 and 420 of the I.P.C.

Allegedly, the petitioner being the Chairman of Khaira PACS got credited the amount of Rs. 27,12,322=55 paise to purchase the paddy but the petitioner embezzled that amount which caused loss to the District Central Cooperative Bank and inspite of notice did not deposit the said amount.

Submission is of false implication and that the



petitioner was not the Chairman on the due date, i.e. 15.04.2014 and it is the present Chairman of PACS, Khaira Panchayat who is liable to pay the aforesaid amount, the petitioner has handed over all the papers as well as the money deposited in the Bank and as such the petitioner is not liable to make any payment which is the onus and responsibilities of the present incumbent, the petitioner has been made accused in a most slip shod manner without verifying the factual status by the concern Bank and it has been instituted in a most routine and casual manner.

The learned counsel for the B.S.F.C seriously opposes the prayer for pre-arrest bail of the petitioner by submitting that co-accused has been allowed regular bail after depositing the entire dues amount and against the petitioner there is serious allegation.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Aurangabad.

(Jitendra Mohan Sharma, J)

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