

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45858 of 2017

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

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Sri Kameshwar Chaubey @ Kameshwar Choubey, Son of Late Gopal Choubey, Resident of Village- Semari, Police Station- Dawath, District- Rohtas at Sasaram. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. K.N. Choubey, Sr. Advocate
: Mr. Ashok Kumar Garg, Adv.
: Mr. Ambuj Nayan Choubey, Adv.
For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-09-2017 Heard Sri K.N. Choubey, learned Senior counsel for the petitioner assisted by Mr. Ashok Kr. Garg and Mr. Ambuj Nayan Choubey.

The petitioner seeks regular bail in connection with Dawath PS case no. 46 of 2015 registered for the offences punishable under Sections 406, 409, 120B of Indian Penal Code.

The allegation against the petitioner is that he along with one another namely Binod Dubey engaged in financial mismanagement while being the Chairman of Primary Agriculture Credit Society, Semari resulting in loss to the tune of approx. Rs. 56.97 lacs to the investors.

The learned senior counsel for the petitioner has submitted that upon perusal of the FIR containing the report of the District Auditor, Co-operative Society Rohtas, it would be clear that on account of mismanagement by the petitioner and one another namely



Binod Dubey, loss has been caused to the investor. It is further submitted that the other person namely Vinod Dubey has already been granted bail by this Court vide order dated 09.03.2017 passed in Cr.Misc. no. 5607 of 2017. It is further submitted that as far as the petitioner is concerned, there is no allegation of defalcation of money but the only allegation is mismanagement of the affairs of the society. It is further submitted that the petitioner has clean antecedent and is in custody since 14.06.2017.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to enlarge the petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Dawath PS case no. 46 of 2015. It is further directed that the petitioner shall be present before the learned trial court on each and every date fixed and in default of non-appearance on two consecutive dates, the bail bonds of the petitioner shall stand cancelled automatically and he will be taken in custody forthwith.

(Mohit Kumar Shah, J.)

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