

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2445 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -SHIWAPATHI District- MUZAFFARPUR

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Maheshwar Prasad @ Maheshwar Prasad Yadav, Son of Late Narayan Rai,
Resident of Village - Paigamberpur, P.S. Shiwaipatti, District -
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 01-05-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Shiwaipatti P.S. Case No.78 of 2016 registered under Sections 409
and 420 of the Indian Penal Code.

The accusation is that the informant and other villagers
opened their accounts at the Cooperative Bank. When the
informant and other villagers went at the Bank, they found the
Bank locked. The informant raised suspicion about defalcating his
amount and the amount of the other villagers by the Branch
Manager of the Bank, namely, Maheshwar Prasad Yadav
(petitioner), and Mathura Choudhary, the Chairman of the PACS.



Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the written report has been submitted by the informant to the concerned police station on 01.09.2016, while the petitioner, due to illness of his relative, handed over the charge of Branch Manager to Mathura Choudhary, the Chairman of the PACS, on 02.04.2015 and proceeded for treatment of his relative, which has come in paragraph-27 of the case diary. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Judge-IX-cum-Additional Chief Judicial Magistrate, Muzaffarpur, in connection with Shiwaipatti P.S. Case No.78 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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