

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2008 of 2017

Arising Out of PS.Case No. -124 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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1. Durga Prasad son of Late Bishundeo Prasad, Resident of village - Kolhua
Paigambarpur, P.S. - Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh
For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 04.12.2016 in connection
with Paroo P.S. Case No. 124 of 2016 registered under Sections 419,
420, 467, 468, 471, 34 of the Indian Penal Code.

Accusation is of misappropriation of government money.

Learned counsel for the petitioner has submitted that the
petitioner happens to be the Branch Manager of the Co-operative Bank,
Paroo and he has no role to play in the grant of Land Possession
Certificate (LPC). In fact, the Chairman of PACS, who has already
been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No.
54737 of 2016, is responsible to verify the LPC and after verification
forward the same to the Bank for due payment in favour of the
claimant. Once the LPC is forwarded by the Chairman of the PACS



after due verification, the petitioner being the Manager of the Bank is duty bond to pay the claimant in respect of his insurance and accordingly, the petitioner has performed his duty in accordance with law. So far genuineness of LPC is concerned, no separate enquiry is required or conducted with regard to the same.

Considering the facts and circumstances of the case and the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Muzaffarpur in connection with Paroo P.S. Case No. 124 of 2016.

(Arvind Srivastava, J)

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