

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24670 of 2017

Arising Out of PS.Case No. -132 Year- 2016 Thana -BANMANKHI District- PURNIA

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1. Ajit Kumar Bharti, Son of Sushil Yadav, Resident of Village- Pipra, P.S. Banmankhi, District- Purnea.
2. Hari Narayan Yadav, Son of Late Jagdeo Yadav, Resident of village- Navtoliya Pipra, P.S. Banmankhi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Purnea District Central Co-operative Bank Banmankhi through its Branch Manager.
3. The District Operative Officer, Purnea.
4. The Block Co-operative Officer, Banmankhi, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 06-09-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Banmankhi P.S. Case No. 132 of 2016 for offence under Sections 409, 420, 120(B), and 34 of the Indian Penal Code.

The accusation is that petitioner no. 1 being Chairman of Pipra Pacs under Jankinagar Police Station, had to purchase 403 quintals paddy and to supply 207 quintals to Centre of State Food Corporation, Banmankhi after milling but he did not supplied the rice after milling to State Food Corporation Centre, Banmankhi. As such, petitioner no. 1 being the Chairman and petitioner no. 2 being the Manager of Pacs, Pipra misappropriated



Rs. 5.78.305/-.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no. 1 has already deposited Rs. 2,00,000/- in Purnea District Central Co-operative Bank Limited on four different dates, which would appear to Annexure-3 to this petition. He further submits that petitioner no. 1 is ready to deposit the remaining amount of Rs. 3,07,305/- within three months.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on provisional bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-VI-cum-A.C.J.M.-VI, Purnea in connection with Banmankhi P.S. Case No. 132 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioners will be confirmed by the learned Court below on submission of receipt of depositing Rs. 3,07,305/- to Central Cooperative Bank Ltd., Purnea within a period of three months, failing which the trial Court will cancel the bail bond of the petitioners.

(Rajendra Kumar Mishra, J)

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