

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17475 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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Dilip Singh S/o Nitya Nand Prasad Singh@ Nitya Nand Singh R/o Village
Girdharpatti, Gram Panchayat Sochata, P.S. Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Branch Manager, Bihar State Co-operative Bank, Bihat, Begusarai.
3. The Managing Director, Bihar State Co-operative Bank Ashok Raj Path,
Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 406/420 of
the Indian Penal Code.

Allegation against the petitioner is that while he was
functioning as Chairman of the referred PACS, he made payment
to the farmers in lieu of purchase of paddy. However, paddy was
not deposited in the State Food Corporation causing
misappropriation of the public fund.

Submission of the learned counsel for the petitioner is
that in fact paddy was purchased and the same was stored in the
purchase centre. However, the State Food Corporation was not



ready to receive the same. To this effect the PACS wrote letters to the concerned authorities. However, no one paid any heed. Moreover, after proper calculation and receipt of the audit report and fixation of liability, the petitioner is ready to refund the due amount, if any, though the real liability lies with the PACS and not its Chairman.

Considering the aforesaid submission, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul/Successor Court in connection with Chhatapur Police Station Case No.12 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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