

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21077 of 2018

Arising Out of PS.Case No. -221 Year- 2017 Thana -RIGA District- SITAMARHI

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Abhay Kumar Mishra Son of late Chandra Kant Mishra R/o Village-
Mehsiya, P/S- Riga, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director B.S.F.C, Bihar Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the State : Mr. Mukeshwar Dayal
For the B.S.F.C. : Mr. Niraj Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

B.S.F.C.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Riga P.S. Case No. 221
of 2017 for the offences punishable under sections 420, 406 and
409 of the I.P.C.

Allegedly, the petitioner being PACS Chairman,
Mahesia withdrew Rs. 18,16,089-50 paisa from the Sitamarhi
Central Co-operative Bank, Riga Branch for the year 2017 for
purchasing paddy. Out of that amount Rs. 9,66,135/- only has
been paid by the S.F.C. and the petitioner has to deposit C.M.R.



valuing Rs. 8,49,954/- till 31.07.2017 but the said amount has been defalcated by the petitioner.

Submission is of false implication and that the petitioner has deposited the amount by cash in the said account and now only Rs. 3,14,826-50 paisa is due, vide Annexure-2, and the petitioner is ready to deposit the said amount in three equal monthly installments.

The learned A.P.P. and the learned counsel for the opposite party no. 2 (B.S.F.C) submit that in case the petitioner deposits the amount of Rs. 3,14,826-50 paisa, as is evident from Annexure-2, they have got no objection.

In the facts and circumstances stated above, the petitioner in case of depositing the amount of Rs. 3,14,826-50 paisa in three equal monthly installments in the said account of Sitamarhi Central Co-operative Bank in the Riga main Branch, Riga Branch then after deposit of first installment within fortnight he shall surrender in the court below and in that case he shall be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M, Sitamarhi in connection with the aforementioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C. and after deposit of full amount his



provisional anticipatory bail granted shall be deemed to be confirmed and accordingly this Criminal Miscellaneous stands disposed of.

(Jitendra Mohan Sharma, J)

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