

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61837 of 2017

Arising Out of PS.Case No. -106 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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Ram Kripal Singh S/o Late Surajdeo Singh, R/o Village- Musahari, P.S.-
Dariyapur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 22-03-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Chapra Town P.S. Case No. 106 of 2015,
registered under Sections 409 & 420 of the Indian Penal Code.

The allegation against the petitioner is that he being the
Manager of the PACS along with Shri Gautam Jee, Chairman of
the PACS had got a cheque for a sum of Rs. 4,52,194/- for
purchasing paddy and wheat from the Bihar State Cooperative
Limited, Chapra, however, they defalcated the money.

The learned counsel for the petitioner submits that there
is no complicity on the part of the petitioner and in fact similarly
situated person has already been granted bail.

I find from the records that the said person who has been



granted bail is neither the Manager nor Chairman of the concerned PACS of branch-Bela, hence the grant of bail to the said accused person is of no help to the petitioner herein.

At this stage, the learned counsel for the petitioner submits that the petitioner is ready to deposit 50 per cent of the defalcated amount, however, some installments may be granted.

Having regard to the facts and circumstances of the case, I direct the petitioner to deposit a sum of Rs. 2,25,000/- in four installments, the first installment thereof shall be deposited within a period of four weeks from today before the Nazarat of the concerned court amounting to a sum of Rs. 75,000/- whereupon the concerned court shall grant provisional anticipatory bail to the petitioner herein in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Chapra in connection with Chapra Town P.S. Case No. 106 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The rest amount of Rs. 1,50,000/- shall be deposited within first week of each month starting from the month of May,



2018 by way of three installments of Rs. 50,000/- each before the Nazarat of the concerned court. Upon payment of the aforesaid sum of Rs. 2,25,000/- the provisional bail shall be confirmed. Any default in payment shall lead to automatic cancellation of the privilege of anticipatory bail granted to the petitioner and he would be taken into custody forthwith.

The petition is disposed off.

(Mohit Kumar Shah, J)

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