

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65229 of 2018

Arising Out of PS. Case No.-1135 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Arjun Paswan, Son of Late Ramavtar Paswan, Es-President Bata Majdoor Union, Bataganj, R/o Village-Naroriganj, P.S. Danapur, Distt.-Patna
 2. Motiur Rahman, Son of Hafiz Nurul Hassan, Ex-Secretary, Bata Majdoor Union, Bataganj, R/o Digha, P.S. Digha, Distt.-Patna
 3. Manoj Kumar, Son of Mahendra Paswan, Ex-Treasurer, Bata Majdoor Union, Bataganj, R/o Ram jeeckak, Gandhi Road, P.S. Digha, Distt.-Patna

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ranjit Kumar Son of Late Raghu Nath Singh, President, Bata Majdoor Union Bataganj P.S.-Digha, Distt.-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioners, learned
counsel for the complainant and learned APP for the State.

The petitioners are apprehending their arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 406, 409, 420 and 120B of the Indian Penal Code.

The prosecution case as per the complaint petition is that the complainant, being the President of Bata Majdoor Union has alleged that the expenditure of the union has been misappropriated with the consent of executive members of the



Union. It is further alleged that the Ex-President, Arjun Paswan, petitioner no. 1, Ex-General Secretary, Motiur Rahman, petitioner no.2, Ex-Treasurer, Sangam Singh, co-accused and Ex-Treasurer Manoj Kumar, petitioner no. 3, though, withdrawn Rs.30,000/- with the consent of the executing members and misappropriated the same.

It is submitted by learned counsel for the petitioners that the petitioners are the ex-office bearers of the Bata Majdoor Union and in vengeance the present case has been lodged against the petitioners. It is further submitted that if there is any question of misappropriation then it requires a thorough investigation. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned counsel for the complainant that the petitioners have misappropriated Rs.30,000/- of the Union fund and if they return the said amount, by depositing, the complainant is ready to withdraw the present case.

Considering the nature of accusation levelled by the present office bearer of the Bata Majdoor Union against the Ex-Office bearers and the amount involved, coupled with the statement made in paragraph 3 of the petition that the petitioners



are not any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -cum- Sub Judge-XVI, Patna in connection with Complaint Case No. 1135C of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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