

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1903 of 2018

Arising Out of PS.Case No. -170 Year- 2017 Thana -GORIAKOTHI District- SIWAN

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Ganesh Singh, aged about 62 years, Son of Late Rameshwar Singh,
Resident of Village- Nikati Kala, P.S.- Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 15-01-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 409,
448 and 427 of the Indian Penal Code.

The prosecution as per Complaint Case No.
1195 of 2017 filed by Sarfuddin Ansari, which was ultimately
registered as Goriyakothi P.S. Case No. 170 of 2017 after being
transferred under Section 156(3) of the Cr.P.C., is to the effect
that the petitioner was the Administrator of Rajendra Khadi
Gramodyog Sangh, Center Laddhi, Siwan and his services were
terminated with effect from 21.03.2011, but the petitioner by not
handing over the charge of the Khadi Gramodyog Sangh is



misappropriating the amount of sale proceeds. The petitioner by not keeping the articles properly is causing huge loss to the Khadi Gramodyog Sangh. Several times oral and written directions were given to the petitioner but the charge was not given by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner was the Manager of Rajendra Khadi Gramodyog Sangh, Center Laddhi, Siwan, which is the branch of Rajendra Khadi Gramodyog Sangh, Siwan. Bihar Khadi Gramodyog Sangh, Muzaffarpur is the controlling body of the Rajendra Gramodyog Sangh, Siwan. The petitioner's service was terminated vide letter dated 21.03.2011 but the Mantri of Bihar Khadi Gramodyog Sangh, the controlling institution, has set aside the suspension and termination of the petitioner as well as that of other persons. The same has been brought on record as Annexure-2. Though, the petitioner retired from the post of Administrator on 15.01.2015 but the Mantri of the Rajendra Khadi Gramodyog Sangh, Siwan has given direction vide letter dated 05.12.2016, as contained in Annexure-6, to continue holding the charge of Rajendra Khadi Gramdyog Sangh, Center Laddhi after retirement on payment of Rs.2,000/-. The appointment of the informant on the post of Administrator has



been recalled vide letter dated 07.11.2012 issued by the Mantri, Bihar Khadi Gramodyog Sangh, Muzaffarpur.

Learned APP, however, submits that the accusation is with regard to the misappropriation of the assets of Rajendra Khadi Gramodyog Sangh, Center Laddhi, Siwan.

Considering the accusation based on the dispute with regard to holding the post of Administrator/Manager and statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Goriyakothi P.S. Case No. 170 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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