

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45424 of 2018

Arising Out of PS.Case No. -64 Year- 2017 Thana -KATORIA District- BANKA

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1. Ashok Tuddu Son of late Budhan Thakur (PAX Chairman)
2. Birbal Soren Son of Rajendra Soren (PAX Manager/ Executive Member)
Both Residents of Village- Chatrahan, P.O. Fulhara, P.S. Belhar, District-
Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Branch Incharge Central Cooperative Bank Ltd. Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-08-2018

Heard the parties.

The petitioners seek anticipatory bail in connection with Katoria P.S. Case No. 64 of 2017, registered for offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners is that the petitioners were allotted Government money Rs 11,88, 485/- for purchasing paddy for the financial year 2012-13 and they have defalcated and cheated the government money.

Submission of the learned counsel for the petitioners is that Annexure-2 clearly shows that they have already deposited the money and the present case is counter blast to an earlier case. It is further submitted that the petitioners have no criminal antecedents.



Heard learned A.P.P. opposes the prayer for bail..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, surrenders before the court below within a period of six weeks from the date of the order, they will be released on provisional bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.1st, Banka in connection with Katoria P.S.Case No. 64 of 2017 till submission of chargesheet, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. Further petitioners shall co-operate in the investigation and produce the papers before the Investigating Officer showing that they have deposited the money. However, once the charge-sheet is submitted even after the investigation and the case is found true against the petitioners, the petitioners shall surrender before the learned Court below and make prayer for regular bail, which will be considered on the basis of materials available on record.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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