

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58444 of 2017

Arising Out of PS. Case No.-398 Year-2009 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Nagendra Prasad, Son of Yugeshwar Prasad, Resident of Mohalla- Chaudari
Tola, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Gyaneshwar Pratap Singh, Son of Late Rameshwar Pratap Narayan Singh,
R/oVill- Keshariya, P.S.- Keshariya, Dist- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in complaint case no. C-
398/2009 instituted for the offence under Section(s) 420 and 406
of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner being the Managing Director, Central Co-operative
Bank Ltd. East Champaran at Motihari has no concern with
doing the insurance of the crops of the farmers in the field. It
has further been submitted that the other employees have
already been granted anticipatory bail by a Co-ordinate Bench
of this Court by order dated 09.04.15 passed in Cr. Misc no.



32961 of 2013.

The learned counsel for the complainant has appeared and submitted that Rs. 100 was demanded from the farmers for doing the crop insurance and the same was not fulfilled then the insurance was not done and they suffered loss.

This Court is of the view that this petitioner being the Managing Director has no concern with doing the insurance of the crops of the farmers in the field. Moreover, the other employees of the Bank have already been granted anticipatory bail by a Co-ordinate Bench of this Court.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint case no. C-398/2009 dated 3.3.2009 , corresponding Tr. No. 4793 of 2011, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate 1st Class, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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