

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14640 of 2019

Arising Out of PS. Case No.-71 Year-1989 Thana- UJIYARPUR District- Samastipur

NUNU PRASAD SINGH Son of Late Sukh Nandan Prasad Singh Resident of
Village- Bhagwanpur Deshua, P.S.- Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

3 02-05-2019

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Ujiyarpur P.S. Case no.71 of 1989 dated 8.8.1989 registered for offences punishable under Sections 403, 408 of the Indian Penal Code and Sections 45(ii)(a)(b) of Bihar Co-operative Society Act.

Allegation as per FIR is that Umesh Prasad Singh of the village was elected as the Secretary of Bhagwanpur Desua Cane Growers Co-operative Society and prior to that the petitioner was Secretary of the Co-operative Society and after selection of the elected Secretary, the petitioner has not handed over papers in spite of direction of the Joint Registrar of the Co-operative Society. It further appears that the case is of the year, 1989 and thereafter the petitioner moved for quashing of the FIR, vide Cr. Misc. No.8794 of 1993 but that application has also been dismissed and the order even according to the petitioner has also been received on 18.7.2017.



Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted and he is aged about 93 years, as such considering his age, he has prayed for anticipatory bail.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on the basis of materials and also that the petitioner is aged about 93 years and as per the submission he is suffering from several ailments and considering the same he will dispose of the bail application of the petitioner on the same day.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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