

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22324 of 2019

Arising Out of PS. Case No.-718 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Ajit Kumar @ Ajit Kumar Jha, Son of Arun Kumar Jha, Resident of Village-
Dhurlakh, P.S.- Muffasil, and District- Samastipur.
 2. Arun Kumar Jha, Son of Kalikant Jha, Resident of Village- Dhurlakh, P.S.-
Muffasil, and District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-05-2019 This is an application for grant of anticipatory bail in

connection with Samastipur Muffasil P.S. Case No.718 of 2018

disclosing offences under Sections 406, 409 and 420 of the

Indian Penal Code.

Allegation against the petitioners who happens to be

the Chairman and Manager of the Ghurlakh PACS that they

were not handing over the charge to the present Administrator as

the Dhurlakh PACS has been superseded by the District

Cooperative Officer and they have defalcated the amount.

Submission of the learned counsel for the petitioners

is that they are still ready to handover the charge, but the

Administrator knowingly and willfully did not take charge from

the petitioners. Further submission is that they have falsely been



implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioners, above named, surrender before the court below by 30.05.2019, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-V, Samastipur, in connection with Samastipur Muffasil P.S. Case No.718 of 2018 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that they will appear before the District Cooperative Officer and hand over the charge of the PACS to him or to any other officer deputed by him.

It is also made clear that after investigation, if any, case of the defalcation is found against the petitioners, the prosecution is at liberty to move for cancellation of the bail bonds of the petitioners.

(Vinod Kumar Sinha, J)

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