

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21207 of 2019

Arising Out of PS. Case No.-108 Year-2017 Thana- ARIYARI District- Sheikhpura

Bhushan Kumar (M) aged about 54 years, Son of Late Haribansh Singh @ Late Hariban Singh @ Late Harbansh Singh Resident of Village-Kemara, P.S.- Ariyari, District - Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate
For the Opposite Party : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 16-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 406 and 409/34 of the Indian Penal Code registered in connection with Ariyari P.S. Case No. 108 of 2017.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the Assistant Manager of Ekrama PACS. It is submitted that the petitioner had no concern with the construction work of 200 MT of Government godown. It is further stated that the entire amount of Rs. 9,00,000/- was withdrawn by the Chairman of Ekrama PACS in installments as evident from Letter No. 410 dated 29.05.2017 issued by the District Co-operative Officer, Sheikhpura forming part of the FIR.

4. Learned APP, on the other hand, invites reference to the said letter dated 29.05.2017 but the same nowhere discloses that the entire withdrawal was made by the Chairman of Ekrama PACS. The petitioner was the erstwhile Manager of Ekrama PACS and has been implicated for defalcation of the Government fund of Rs. 3,75,182/-.



5. Having regard to the nature of accusations and gravity of offence alleged as well as considering the statement of the petitioner that the entire withdrawal was made by the Chairman of Ekrama PACS being not corroborated from the aforesaid letter dated 29.05.2017, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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