

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79808 of 2018

Arising Out of PS. Case No.-200 Year-2017 Thana- KEWATI District- Darbhanga

Chandra Kant Thakur S/o Late Paras Nath Thakur R/vill-Jalwar,P.S-Simari,
Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Kumar Virendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-01-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Keoti Mahila P.S. Case No. 200 of 2017 dated 06.12.2017 instituted for the offences under Sections 406, 420, 467, 468 and 34 of the Indian Penal Code.

The petitioner at the relevant time was Branch Manager of Cooperative Society which was formed for accepting contributions from the members with a promise of giving larger return in a short time. When the returns were not given to the investors, the investors approached the bank, only to found the premises of the same locked.

Hence the FIR.



Learned counsel appearing for the petitioner has submitted that as a Branch Manager, no sooner he realized that the cooperative bank had fallen in financial distress, he provided such information to the Joint Director of the Cooperative Societies and a complaint also was lodged that the investors are being sent back high and dry. It has further been submitted that the petitioner only worked on muster roll/monthly payment of a paltry amount and the entire money, if at all has been embezzled, has been done at the instance of the promoters and the owners of the aforesaid cooperative society.

Under similar circumstances, Najia Habib who also is stated to be one of the office bearers of the aforesaid cooperative society, has been granted anticipatory bail by a Bench of this Court but only taking into account that she had resigned from the employment of the cooperative bank prior to the lodging of the present case.

Considering all these facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Keoti P.S. Case No. 200 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However the petitioner shall be under an obligation to get his presence marked by the officer-in-charge of the concerned police station or the investigating officer of this case. Any breach of the aforesaid requirement would entitle the investigating agency to have the present order of anticipatory bail rescinded by approaching the court below with respect to the aforesaid. The petitioner shall not leave the territorial confines of the State of Bihar without obtaining prior approval of the investigating officer of this case.

(Ashutosh Kumar, J)

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