

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25781 of 2018

Arising Out of PS. Case No.-149 Year-2017 Thana- PANAPUR District- Saran

Harendra Singh S/o Ram Nigah Singh, R/o Vill. and P.O. - Dhenuki, East
Packs Chairman, P.S.- Panapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akhileshwar Dubey, Co-operative Development Officer, District-Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

9 01-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Panapur P.S. Case No. 149 of 2017 registered for the
offence punishable under Sections 406, 409, 419 and 420 of the
Indian Penal Code.

Petitioner, who happens to be Ex-President of
Dhenuki PACS is said to have defalcated Rs. 5,98,321/- as per
audit report.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case. He happens to be
Ex-President of the aforesaid PACS from 2008 to 2014 and he



has deposited the aforesaid money in the Bank and the Bank has issued no dues certificate regarding the aforesaid deposit in the account of the PACS.

On the other hand, learned APP opposed the bail prayer of the petitioner.

From perusal of impugned order, it appears that regarding the aforesaid deposit in the account of PACS, the Bank has issued no dues certificate on 23.09.2014. Though, the informant, who happens to be Co-operative Development Officer, Panapur vide letters dated 15.12.2017 and 01.12.2017 written to S.P. Panapur and District & Sessions Judge, Chapra, respectively, has submitted that the aforesaid money has not been deposited by the petitioner as yet, but the Bank has issued no dues certificate regarding the aforesaid deposit by the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Saran at Chapra in connection with Panapur P.S. Case No. 149 of 2017, subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Prakash Chandra Jaiswal, J)

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