

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63280 of 2018

Arising Out of PS. Case No.-493 Year-2015 Thana- BAGHA District- West Champaran

Rajesh Yadav son of Uma Shankar Yadav, Resident of Village- Sisahi, Police
Station- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Branch Manager of the National Central Co-operative Bank, Bagaha,
West Champaran.
3. The District Manager, The State Food and Civil Supplies Corporation Ltd.,
Bettiah, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Milind Kumar Mishra, Adv.
For the Respondent/s	:	Mr. Ganesh Prasad Singh, APP
For the BSFC		Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection
with Bagaha P.S. Case No. 493/2015, registered for the offences
punishable under Sections 409, 120(B) and 34 of the Indian
Penal Code.

Allegation against the petitioner is of defalcation of
money in the capacity of Chairman, P.A.C.S.

Submission of learned counsel for the petitioner is
that Annexure-3 would show that entire defalcated amount has
already been deposited by the petitioner prior to lodging of the
F.I.R. Rather money of the petitioner is overdue with the



National Central Co-operative Bank Ltd. Respondent/National Central Co-operative Bank Ltd. has not filed counter affidavit, though prayer was made on 19.12.2018, to file counter affidavit.

However, learned counsel for the informant opposed the prayer for bail of the petitioner.

Considering the facts aforesaid, let the petitioner above-named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 493/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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