

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45297 of 2019**

Arising Out of PS. Case No.-98 Year-2018 Thana- DEO District- Aurangabad

---

SHANKAR KUMAR KISHORE, aged about 43 years, Male, Son of Shri Deonandan Das, Resident of Village - Bar Bandhu Bigha, P.S.- Sherghati, Dist.- Gaya., Presently Posted as B.C.E.O. Block Chanpatiya, P.S.- chanpatiya, Dist.- West Champaran ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

---

**Appearance :**

For the Petitioner : Mr. Sanjay Kumar No 7, Adv.  
For the Opposite Party : Mr. Parmeshwar Mehta, APP

---

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

4      16-11-2019                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Dev P.S. Case No. 98 of 2018 registered under Sections 420, 406 and 409 of the Indian Penal Code.

The accusation is that for the year 2018-19 Deo Block Vyapar Mandal Cooperative Society Ltd was selected for purchasing the wheat and, thereafter, cash credit facility was given to purchase the wheat and 1971 quintals wheat was purchased which was to be supplied in the Food Corporation of India godown till 25.07.2018, but, only 1350 quintals wheat was supplied and rest wheat was misappropriated by Chairman, Vyapar Mandal Cooperative Society Ltd, Deo.

The learned counsel for the petitioner submits that it



would appear from the first information report that allegation is of misappropriating the 621 quintals wheat by Sunil Kumar Singh, Chairman, Vyapar Mandal Cooperative Society Ltd, Deo, but, petitioner being the Block Cooperative and Extension Officer is implicated in this case. However, submission is that at the time of hearing of anticipatory bail application by the lower Court, being A.B.P. No. 1078 of 2018, of Sunil Kumar, Chairman, Vyapar Mandal Cooperative Society Ltd, Aurangabad, order was passed to deposit Rs.10,77,435/-, but, he deposited Rs.1,79,572.50 at the time of furnishing of bail bond and remaining amount deposited in five installments withing five months from the release of Sunil Kumar and, accordingly, he deposited the same and no objection certificate was issued in that regard through Memo No. 18, dated 12.02.2019, by the office of the Central Cooperative Bank Limited Branch, Deo, Aurangabad, which would appear from Annexure 3.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Dev P.S. Case No. 98 of 2018 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the Chief Judicial Magistrate, Aurangabad, or the  
successor Court subject to the conditions as laid down under  
Section 438(2) Criminal Procedure Code.

**(Rajendra Kumar Mishra, J)**

Shamshad/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

