

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72765 of 2018**

Arising Out of PS. Case No.-48 Year-2018 Thana- FESHAR District- Aurangabad

Ravindra Sharma, Son of Late Mohan Sharma, Resident of Village- Pirouta,
P.S.- Fesar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash, Advocate.

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta, APP

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

ORAL ORDER

4 23-04-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Fesar P.S. Case No. 48 of 2018 registered under Sections 406 and
420/34 of the Indian Penal Code, pending in the court of Additional
Chief Judicial Magistrate-V, Aurangabad.

The accusation is that Abhiram Vishwakarma, Sri
Ramniwash Yadav, Rameshwar Paswan and Rabindra Sharma
(petitioner) being the Chairman, Assistant Manager, Cashier and
Assistant Cashier of PACS, Badama, Aurangabad, respectively,
misappropriated the money deposited by the farmers and others in
PACS.

Learned counsel for the petitioner submits that
admittedly, the petitioner is the Assistant Cashier in PACS, Badama,
Aurangabad Block and his duty was to discharge the direction of



PACS Chairman and governing body of PACS and there is no specific allegation against the petitioner about misappropriating money deposited by the farmers and others in PACS. Further submission is that only it has come during inquiry that conduct of Manager, cashier and petitioner was suspicious.

On the other hand, learned counsel for the State submits that several farmers have given statement before the police under Section 161 of the Cr.P.C. to this effect that while they have deposited the money in the PACS but the same was not returned.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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