

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70333 of 2019

Arising Out of PS. Case No.-402 Year-2019 Thana- HILSA District- Nalanda

RAJIV RANJAN KUMAR @ RAJIV RANJAN Son of Kameshwar Prasad
Resident of Village - Fatehpur, P.S.- Chiksaura, Dist.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upendra Prasad Son of Late Basudev Mahto Resident of Village - and P.O.-
Jamsari, P.S.- Bind Distt.- Nalanda at present Incharge Branch Manager of
Nalanda Central Co-operative Bank Ltd. Branch Hilsa, Dist.- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Hilsa P.S. Case No. 402 of 2019 registered for the offences punishable under Sections 419, 420, 406 and 120B/34 of the Indian Penal Code.

As per FIR Rs.57,295,79.50 was due with the PACS of which co-accused Harendra Kumar was Chairman and petitioner happens to be Manager.

Submission of learned counsel for the petitioner is that while considering anticipatory bail of the Chairman of the PACS by order dated 25.10.2019 in Cr.Misc.No. 68550 of 2019 the following order has been passed :

“Having heard both sides and in view of the facts and circumstances, as stated above, let petitioner surrender within a period of six weeks from the date of receipt of the order with a bank draft of Rs.10 lac (ten lac) in favour of the Nalanda



Central co-operate Bank, Branch Hilsa and on that he will be released on provisional bail for a period of five months and during that period, he has to deposit the rest of the amount as admitted by him i.e. Rs.40 lac in five equal instalments of Rs.08 lac (eight lac) each and once the total amount is deposited, the bail bond of the petitioner shall be confirmed.

It is also made clear that in case of failure to deposit continuously two instalments, provisional bail of the petitioner shall be cancelled.

Above order has been made without making any comment on the interest part of the above amount.”

In view of above fact, petitioner has to surrender within a period of six weeks and on surrender learned court below shall verify as to whether the above direction issued in Cr.Misc.No. 68550 of 2019 has been complied by the Chairman of the PACS or not and if it is so the court below will release the petitioner on provisional bail for a period of five months and after the period of five months learned court below shall verify about the deposit of total amount by the Chairman and if it is so the court below shall confirm the bail bonds of the petitioner, otherwise the court below is free to pass any other order(s) as it may deem fit and proper.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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