

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72167 of 2018

Arising Out of PS. Case No.-137 Year-2018 Thana- Ariari District- Shekhpura

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1. Kavita Devi @ Kavita Kumari, W/o Umesh Prasad
 2. Nilam Devi, W/o Ashok Mahto
- Both R/o Village + P.O.- Husainabad, P.S.- Ariari, District- Shekhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Deepak Kumar, Advocate

For the Opposite Party/s : Sri Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-01-2019 Heard Sri Deepak Kumar, learned counsel for the

petitioners and Sri Harendra Prasad, learned Additional Public

Prosecutor.

Two petitioners, who are Chairman and Manager respectively of Hussainabad (Ariari) PACS , have approached this court for grant of bail in the event of their arrest or surrender in connection with Ariari P.S. Case No. 137 of 2018, registered for the offence under Sections 409 / 420 of the Indian Penal Code, 1860.

Learned counsel for the petitioners firstly argued by way of referring to page no. 15 of the brief i.e. report of Co-operative Extension Officer, Ariari that the report is dated 14.07.2018, whereas in the said report the PACS of the



petitioners was granted time till 31.07.2018 for intimating regarding supply of C.M.R. to S.F.C., however, before expiry of the fixed date i.e. 31.07.2018 the Co-operative Extension Officer filed written report before the Officer- in-charge on 26.07.2018, which is the basis of the F.I.R. Learned counsel for the petitioners tried to persuade the court that loss of 656.80 quintals of paddy has already been explained since PACS of the petitioners had already sent those paddy to the rice miller and since rice miller namely: Shiv Shankar was made accused in an another case delay had occurred. Alternatively, it has been argued by learned counsel for the petitioners that loss suffered by the State comes to about Rs. 10 lakhs and petitioners are ready to deposit the same amount if installment is fixed.

Besides hearing, I have perused the material on record and on going through the same, I do not find any ground to grant anticipatory bail.

The prayer for grant of anticipatory bail stands dismissed.

(Rakesh Kumar, J)

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