

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74171 of 2019

Arising Out of PS. Case No.-403 Year-2019 Thana- HILSA District- Nalanda

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HIRA PASWAN Son of Jagan Paswan Resident of Village - Pendapur, P.S.-
Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Manager Central Co-operative Bank, Branch Hilsa (Nalanda). Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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

ORAL ORDER

2 06-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Hilsa P.S. Case No. 403 of 2019, registered under Sections 419,
420, 406, 120B and 34 of the Indian Penal Code.

The accusation is that in the financial year 2017-18,
Vijay Shankar Singh, President, and Nitish Kumar, Manager, of
Reri Panchayat Primary Agricultural Cooperative Credit Society
got transfer Rs.26,32,164/- putting the signature on cheque
through real time gross settlement (RTGS) from Nalanda
Central Cooperative Bank Ltd, Hilsa, in Reri Panchayat Primary
Agricultural Cooperative Credit Society from special cash credit



Account No. 000415004000017 for purchasing the paddy and paid the money to the supplier of the paddy, but, till 30.06.2019 the said amount was not paid in the Bank, as such, Vijay Shankar Singh, President, and Nitish Kumar, Manager, and seven others named in the first information report, including the petitioner, being the executive member of the Reri Panchayat Primary Agricultural Cooperative Credit Society misappropriated the said amount under conspiracy.

Submission is that in fact petitioner and seven others named in the first information report are members of the executive Committee of the Primary Agricultural Cooperative Credit Society and their responsibility is only to attend the meeting of the Primary Agricultural Cooperative Credit Society for major decision, but, liability of disbursing the amount to the farmers is only of President and Manager of the Primary Agricultural Cooperative Credit Society, but, the petitioner is the executive member has falsely been implicated in this case.

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 Hilsa P.S. Case No. 403 of 2019 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 Additional Chief Judicial Magistrate, III, Hilsa, Nalanda, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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