

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76545 of 2019

Arising Out of PS. Case No.-387 Year-2017 Thana- MAJHAULIA District- West Champaran

1. Shailendra Kumar Singh Son of Late Ram Dev Singh
2. Suresh Thakur Son of Ram Dayal Thakur
3. Ranjan Kumar Singh Son of Shailendra Kumar Singh
4. Pratima Singh Wife of Ranjan Kumar Singh
5. Pradeep Kumar Pandey Son of Jai Shankar Pandey
6. Rajesh Pal Son of Chandrika Pal
7. Surendra Prasad Son of Late Ramashis Prasad @ Ram Ashish Raut
8. Jhulan Yadav Son of Bharat Ram
9. Amit Ram Son of Bharat Ram
10. Smt. Aamana Devi @ Aamana Devi @ Smt. Amna Devi Wife of Chandrika Raut
11. Shivendra Kumar Son of Shyamdeo Singh

All resident of Village - Parsa, P.S.- Majhaulia, District- West Champaran.
Also at Narayanpur Joint Farming Cooperative Society Limited at Parsa,
P.S.- Majhaulia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Jha
For the Informnat	:	Mr. Ramendra Kumar Bharti, Adv
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioners, counsel
for the informant and learned counsel for the State.



Petitioners, apprehend their arrest in a case registered for the offences punishable under Sections 406, 409, 420, 467, 468, 471/34 of the Indian Penal Code.

Informant had instituted a complaint case in the court of Chief Judicial Magistrate, Bettiah, West Champaran giving rise to Complaint Case No. 1602C of 2017 which was referred to the police station under Section 156(3) of the Cr.P.C upon which FIR was instituted giving rise to Majhauria Sadar P.S Case No. 387 of 2017 under Sections 406, 409, 420, 467, 468, 471 read with 34 of IPC.

As per F.I.R. the informant who is a member of Parsa PACS has alleged that he deposited premium for the crop insurance in the Parsa PACS and as per his statement a list was made by National Central Co-operative Bank at Majhauria and his name was also mentioned in the said list but the petitioners had not paid the crop insurance amount to the informant and embezzled the money of farmers by committing fraud.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to political rivalry and animosity with the complainant. Petitioners who have been made accused no. 1 to 12 are office bearers of the Narayanpur Joint Co-operative Society Limited,



whereas accused no. 13 to 21 are officers and office bearers of National Co-operative Bank Limited and allegation is that premium of insurance deposited by Parsa PACS under the crop insurance scheme for the year 2008 has been transferred to Narayanpur Joint Farming Co-operative Society Limited.

It has been submitted that the allegations are false and baseless and without any substance that the insurance amount belonging to farmers of Parsa PACS had been transferred to Narayanpur Joint Farming Co-operative Society Limited. No any other insured farmers of Parsa PACS had ever raised any grievance before any authority for non payment of crop insurance amount for the year-2008. The co-operative society of petitioners has no lis with the complainant and has not been allowed to do insurance scheme, as such allegations are mischievous. It is emphatically denied that insurance amount belonging to farmers of Parsa PACS for the year 2008 has been transferred to Narayanpur Joint Farming Co-operative Society Limited. The allegations even assuming to be true is mere irregularity and no criminal offence is made out.

Counsel for the informant has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the facts and circumstances of the



present case, let petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, be enlarged on pre-arrest bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand only) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Manjhauliya P.S. Case No. 387 of 2017 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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