

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40565 of 2020

Arising Out of PS. Case No.-475 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

RAVINDRA KUMAR S/o Ramjiwan Rai R/o village- Chaknoor, Tola-
Dadpur, P.S.- Samastipur (Muffasil), District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. DHARMENDRA KUMAR S/o Late Vindeshwari Choudhary Co-operative
Extension Officer, R/o village- Dariyapur, P.S.- Hathidah, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Jagdhan Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 21-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Samastipur
Mufassil Police Station Case No. 475/2019 registered for the
offences punishable under sections 420 and other sections of the
Indian Penal Code.

As per the prosecution case, the petitioner while
working on the post of Manager in Chaknur Panchayat PACS,
Samastipur indulged in misappropriation of a sum of
Rs.42,23,203.98/-.

Learned counsel for the petitioner submits that as



Manager of the PACS the petitioner had no role in the matter of receipt of cash and as such any allegation of misappropriation of money is only baseless. The petitioner had no administrative power and it is the chairman of the PACS who controls the affairs of the PACS. He further submits that the cash and financial transaction are dealt by the cashier and the petitioner is only a rubber stamp Manager acting at the instance of the Chairman. He is being sacrificed in this case being the lowest grade staff. It is also the case of the petitioner that all these transactions are said to be of the period of 2008-2015 during which one Laxmi Rai (since deceased) was the Chairman of the PACS. Petitioner is in custody since 3.10.2020.

Learned counsel for the State has opposed the prayer for bail of the petitioner submitting that there are serious allegation of indulging him in misappropriation of huge public money.

Considering the rival submissions of the parties and the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage.

However, once charge is framed and trial is commenced, the petitioner shall be released on bail by the court below itself to its own satisfaction on the condition that the



petitioner will co-operate in disposal of trial and shall appear before the court as and when required.

With the above observation, this bail petition is disposed of.

(Prabhat Kumar Singh, J)

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