

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71926 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- BAHADURGANJ District- Kishanganj

Amarnath Rai S/o Late Ganga Sagar Resident of Chakia, P.S.- Barauni,
District- Begusarai, Then Administrator-cum-Block Co-operative Extension
Officer, Bahadurganj

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar, Advocate
Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 06-12-2021 Heard Mr. Rajnish Kumar, learned Advocate for
the petitioner and Mr. Parmeshwar Mehta, learned APP.

The petitioner seeks bail in anticipation of his
arrest in connection with Bahadurganj P.S. Case No. 114
of 2019 dated 26.04.2019 instituted for the offences
under Sections 406, 409, 420, 467, 468, 469, 471,
201, 120-B of the Indian Penal Code.

It appears from the order dated 14.07.2020
that it was the stand of the petitioner that the money
given by way of loan had already been recovered by the
PACS and there is no outstanding dues against anyone
of the borrowers.

However, in the absence of any evidence to
support this claim, no final order was passed in this case.



The Court had directed the petitioner to bring on record evidence in support of the aforesaid contention.

Learned counsel for the petitioner submits that he could not establish contact with the petitioner and therefore as on date, he has no concrete information regarding the same.

Considering the facts aforesaid, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail after showing that the entire loan amount has been recovered by the PACS and that there is no outstanding dues against anyone of the borrowers, that shall be taken into account before passing any final order.

The petition stands disposed off with the aforesaid observations.

(Ashutosh Kumar, J)

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