

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54637 of 2023

Arising Out of PS. Case No.-139 Year-2020 Thana- ALAMNAGAR District- Madhepura

Manish Kumar S/O Anant Prasad Yadav Village Bhatni, Ps- Kumarkhand,
Dist- Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code.

3. As per the prosecution, the case has been lodged on 28.06.2020 against 5 named accused persons including the present petitioner, against whom there is allegation that they appointed staff and agents under a conspiracy and collected and misutilised the funds in the name of Cooperative Bank namely the Koshi Central Cooperative Credit Society Limited, Alamnagar. Allegation in the FIR is that they all were in connivance with each other and committed such fraud.

4. Counsel for the petitioner submits that petitioner is

innocent and has committed no offence. He submits on the basis of the advertisement petitioner applied for service on the post of Assistant and vide Annexure-P2 series he was called for interview and on 21.05.2018 and subsequently joined as a daily wager at the rate of Rs. 300/- per day w.e.f. from 15.01.2019. He further submits that from the content of the FIR it has been submitted that a Joint Committee Report submitted on 05.03.2020 under BDO, Alamnagar, SDPO, Udakishunganj, District Cooperative Officer, Madhepura, SDO, Udakishunganj, in which there was allegation that the proper ledger for the year 2018 has not been prepared and deposited, as well as, its audit was also not created. Counsel submits that in the report it has been found that some the persons whose fixed deposit amount has not been provided even after completion of the fixed time period. Counsel also submits that in this case petitioner became the scape goat as he is a daily wager employee getting Rs.300/- per day w.e.f. 15.01.2019. As the FIR was lodged in the year 2020, due to this reason a case was also filed against him, as the inquiry started prior to his date of appointment, which has been mentioned in the FIR.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6

weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Magistrate-Ist Class, Udakishunganj at Madhepura, in connection with Alamnagar P. S. Case No.139 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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