

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54768 of 2023

Arising Out of PS. Case No.-109 Year-2017 Thana- ARWAL District- Jehanabad

VIDYANAND CHAUDHARY SON OF YUGAL CHAUDHARY
RESIDENT OF VILLAGE - MURADPUR HUZARA, P.S. - ARWAL,
DISTRICT - ARWAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Arwal P.S. Case No. 109 of 2017 registered under Sections 409/420 of the Indian Penal Code lodged on 05.06.2017 by the informant, Santosh Kumar.

As per the prosecution story, the FIR has been lodged against the Branch Manager, Madhya Bihar Gramin Bank, Bedarabad Branch, Arwal stating that during his tenure (01.09.2012 to 23.12.2014), he committed defalcation of Government money to the tune of Rs. 3,48,33,646.094/- in connection with the issuance of KCC and other types of loan. It is alleged that 799 loans were given to different persons and the Land Possession Certificate (LPC) were found to be false while



some of the lonee did not have even given their case. Accordingly, the FIR.

It is the case of the petitioner that so far as he is concerned, was granted agriculture loan of Rs. 50,000/- which along with interest has been cleared by him to the tune of Rs. 1,35,000/- to the bank on 06.06.2023 and the certificate has been annexed as Annexure-P-2 to the petition. Further submission is that vide Cr. Misc. No. 10685 of 2022, Prakash Kumar Dwivedi, the Branch Manager was granted bail on 19.12.2022, the submission as such put forward by the learned counsel for the petitioner is noted.

Learned APP opposes the prayer for bail stating that he was part and parcel of the conspiracy hatched by the Branch Manager.

Taking into account the submissions put forward by the learned counsel for the petitioner, the principal amount along with interest has been deposited, no dues certificate granted, is in custody since 06.05.2023 and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Arwal in connection with Arwal P.S. Case No. 109 of 2017, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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