

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66230 of 2022**

Arising Out of PS. Case No.-170 Year-2021 Thana- GANGABRIDGE District- Vaishali

UPENDRA KUMAR RAI SON OF LATE JAWAHAR LAL RAI R/O VILL.-
SARAIPUR, P.S.- GANGA BRIDGE, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha
For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 409 of the Indian
Penal Code.

As per allegation in the FIR, after being defeated in
the election of PACS, petitioner was asked repeatedly to hand
over the charge to the newly elected President of the PACS, but
he has not handed over the charge till date.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Petitioner
has challenged the nomination of the elected president which is
still pending before the Court of Joint Registrar, Co-operative
Committee Bihar, Patna. By way of filing supplementary



affidavit, it is brought on record that petitioner is ready to handover the charge to the present PACS Chairman (Soniya Devi). Petitioner is languishing in judicial custody since 27.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali (Hajipur) in connection with Ganga Bridge P.S. Case No. 170 of 2021.

(Sunil Kumar Panwar, J)

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