

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69381 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- AUANGARI District- Nalanda

UMESH PRASAD S/O LATE RAMBRIKSH RAM Resident of village-
Gomhar, P.S.- Aungari, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-05-2023 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, 420, 120(B) of
the Indian Penal Code.

As per allegation in the FIR, petitioner is said to be
manager of the Gomhar PACS. It is alleged that there is
defalcation of Rs. 39,21,824/- as per audit report in the financial
year 2016-2018 committed by petitioner and co-accused
Dharmendra Kumar (Ex-Chairman).

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. By way
of filing supplementary affidavit, in para 3 details of auditor
report is brought on record, which shows that no
misappropriation has been made by the petitioner. Petitioner's



work was only to debit and credit of amount of beneficiaries in the bank and in that business no misappropriation was found. No one has claimed that the petitioner has taken money from the beneficiaries. Ex-chairman Dharmendra Kumar is no more. Petitioner is languishing in judicial custody since 6.9.2022.

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, 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 Judicial Magistrate, 1st Class, Hilsa (Nalanda) in connection with Aungari P.S. Case No. 60 of 2022.

(Sunil Kumar Panwar, J)

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