

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1706 of 2023

Arising Out of PS. Case No.-1223 Year-2022 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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BIMAL KUMAR SINGH SON OF LATE RAM BAILASH SINGH R/O
VILLAGE- MAITHI, P.S.- GAIGHAT, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manindra Kishore Singh, Advocate
For the State	:	Mr. Ajay Kumar No.2, Addl. Public Prosecutor
For the Informant	:	Mr. Yashraj Bardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 323, 341, 406, 457, 458, 471 and 120(B), 420 of the Indian Penal Code.

It is alleged that this petitioner got illegally elected on the post of Secretary of the Cooperative Society. It is further alleged that the petitioner also committed embezzlement of five crore rupees, including 3 lakh rupees of the complainant.

Learned counsel for the petitioner submits that he has already resigned from the post of secretary in the year 2021. As



per FIR, alleged money was deposited by complainant, with the society. Not a single deposit has been transferred in the account of petitioner. Petitioner claims clean antecedent. No chit of paper or document has been annexed to support the allegation of embezzlement. He next submits that every member of society including complainant used to deposit C.G.R amount through cheque in accounts of society. The amount deposited by the members are paid with 8 % after his retirement or on leaving the membership of society. Money from the accounts of society is withdrawn with the joint signature of Secretary and treasurer. The petitioner has already retired and suffering from several old age ailments.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Muzaffarpur East, District- Muzaffarpur in connection with Complaint Case No. 1223 of 2022, subject to the conditions laid down under section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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