

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6240 of 2024

Arising Out of PS. Case No.-5 Year-2019 Thana- KAJRA District- Lakhisarai

Chintu Kumar @ Chintu Kumar Gupta SON OF LATE GREEN PRASAD
GUPTA RESIDENT OF VILLAGE- ENGLISH, WARD NO. 2,
LAKHISARAI, PS- LAKHISARAI, DIST- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420, 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that there is repeatedly request to return the loan amount through red notices by registered post of loan holders of Basudev PACS presently Srikishun PACS, but the said borrowers were neither contacted nor the loan amount was deposited. The said loan amount is the depositor's scrutiny and government money. It is further alleged that former Chairman of PACS Ajay Kumar Singh has lended money to known persons who were outside of Panchayat to get



the commission and they have tried to misappropriate and digest the amount.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner is bonafide borrower. It is further submitted that the petitioner took loan of Rs. 1,30,000/- through an agent, which has been paid to his agent and for which his agent has also given receipt of Rs. 90,798/- and rest receipt has not given yet. Therefore, if any loan amount is due, his agent K.N. Singh will be responsible for the same. Similarly situated co-accused, namely, Ajay Kumar Singh, then PACS Chairman has been enlarged on bail by a co-ordinate bench of this court vide order dated 22.08.2019 passed in Cr. Misc. No. 37206 of 2019. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, there is civil/money dispute between the parties, let the above named petitioner, be released on bail, in the event of his



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kajra P.S. Case No. 05 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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