

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18244 of 2023**

Arising Out of PS. Case No.-337 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

Suchindra Kumar Sah Son Of Baleshwar Sah Resident Of Village
Raghunathpur, P.S. Bochahan, District Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Ritwik Thakur Mr. Purushottam Kumar Mrs. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Pranav Kumar

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

9 23-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406 and 420 of the Indian Penal Code.

3. Allegation against the petitioner who is an agent of Kaumuna Credit Cooperative Society is that he committed fraud with informant by taking Rs. 5,000/- each month for 72 consecutive months on the assurance that after depositing the above said amount, then he would receive Rs. 5,18,000/- and on that assurance, the informant gave total Rs. 3,60,000/- to



the petitioner but the petitioner did not return the amount of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted from para-8 of this petition under the Multi State Cooperative Society Act, 2002, A cooperative society in the name of Kaumuna Credit Cooperative Society Limited was constituted having its head office at Lucknow, and area of operation of the society is U.P., Maharashtra, Bihar, Madhya Pradesh and Uttarakhand. The present informant along with others were also the members of the said cooperative society and the Managing Director of the said Cooperative Society has filed application to the S.P., Muzaffarpur as well as to the District Magistrate in which they have stated that they are dealing with the members only. All the members used to deposit their money in the account of said Credit Society and no money was being taken by any individual and the money of the present informant also credited in the account of said Kaumuna Credit. By way of reply of the counter affidavit, it is submitted in para-8 that petitioner after collecting the premium amount from the policy holder used to deposit the



same in the account of Kaumuna Cooperative Society Limited and on several dates, he has deposited the same but as he is in custody, only some of them have been traced by the deponent and the same are being brought on record which have been annexed as annexure-4 of series of this petition. From para-9 of the reply of the counter affidavit, the petitioner also used to transfer money online to the Bank account, the premiums which were deposited in the account of the petitioner, by the policy holder, for which, the petitioner also used to maintain a register and few pages of the same is being attached herewith at Annexure-5 series of this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bochahan P.S. Case No. 337 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur East.

(Sunil Kumar Panwar, J)

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