

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39989 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- Pothia District- Katihar

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1. Nutan Devi W/o Ghanshyam Rai @ ghanshyam Roy R/o Village-Khota, P.o.-Dumar, P.S.-Pothia, District-Katihar
 2. Ghanshyam Rai @ Ghanshyam Ray S/o Late Jagdish Rai R/o Village-Khota, P.o.-Dumar, P.S.-Pothia, District-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Foods And Civil Supplies Corporation, Katihar, Bihar
3. District Cooperative Officer, Katihar
4. Block Extension Cooperative Officer, Sameli, Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Prakash Sharma, Adv.
For the State	:	Mr. Parmeshwar Mehta, APP
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Adv.
		Mr. Akhauri Kamal Kishore Sahay, Adv.
		Mr. Anand Kishor, Adv.
		Mr. Utkarsha Utpal, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 27-08-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in connection with Pothiya P.S. Case No. 01 of 2024 registered under Sections 406, 409 and 420/34 of the Indian Penal Code.

3. Petitioners are alleged to have misappropriated a huge amount of public money i.e. Rs. 9,48,000/-.

4. Learned counsel appearing on behalf of the petitioners submits that by filing supplementary affidavit without admitting their guilt for the present, petitioners are ready to deposit Rs.



4,50,000/- in easy installments.

5. Learned counsels for the opposite parties opposed the prayer for bail.

6. Considering the aforesaid contention made on behalf of the petitioners, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Katihar in connection with Pothiya P.S. Case No. 01 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioners that :-

i. Petitioners shall deposit Rs. 2,50,000/- (Two Lakh Fifty Thousand) in Central Co-operative Bank, Katihar and will produce the receipt of the same at the time of furnishing bail-bond in the Court below, and rest amount i.e. Rs. 2,00,000/- (two lakhs) shall be paid in four equal installments in Central Co-operative Bank, Katihar within a period of 6 months, failing which, the learned Court below would be at liberty to cancel the bail-bonds.

6. It is made clear that this order has been passed for the purpose of bail without going into the merit of the case, and



the payment of aforesaid amount shall be subject to the final
outcome of the case.

(Prabhat Kumar Singh, J)

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