

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60575 of 2024

Arising Out of PS. Case No.-644 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Ajay Kumar @ Ajay Yadav Son of Maheshwar Roy R/V- ITAHA
RASULNAGAR, P.S.- SAKRA, DISTT.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner seeks regular bail in connection with
Bettiah Town P.S. Case No. 644 of 2019 registered for the
offence under sections 406, 420, 467, 468, 471, 472, 120B and
34 of the Indian Penal Code and section 19 of the BPID Act.

3. As per the FIR, the prosecution story is that there is
a company co-operative society in the name and style of Swarn
India Multi State credit Co- operative Society ltd., having its
main Branch at Muzaffarpur and the branch of that company is
located at third floor of the house of one Madan Mohan Tiwary.
This company used to take money from its customers in their
saving account as Fixed Deposit Recurring Deposit and Daily



Deposit in monthly installments. In order to do the work of the company there is a Director, Managing Director, Branch Manager and some field Officers in all the branches and the aforesaid Co-operative company used to work as a Bank. The owner and manager of the company appointed agents in the villages and money of the poor people is not being refunded to them even after maturity. It is further alleged that as per direction a raid was conducted in the office of the above said company and two persons namely Chandra Mohan Kumar and Kundan Kumar the Branch Manager and the Peon of the Branch were found there. In the presence of the independent witnesses Monitor, Key Board, Mouse, Data cable, CPU of HP, UPS of Microtek, Laser Jet of HP, Floppy Disc of western digital, one maturity register, attendance register, renewal register (2009-2010), premium register being written Jeevan Madhur (2010-11, 2012-13, 2013-14), register of Jeevan Mangal and many other papers were found and seized as per the law.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The petitioner had joined the company as Branch Manager at Darbhanga and he resigned on 01.12.2014 and after that he has nothing to do with the affairs of the company. He has



further submitted that there is no allegation of defalcation of any amount against the petitioner and similarly situated co-accused Chandra Mohan Kumar has already been granted bail vide order dated 11.09.2020 in Cr. Misc. No. 22878 of 2020. Further submission is that petitioner is in custody since 16.01.2024.

5. Learned APP for the State has opposed the prayer for bail.

6. 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 C.J.M, Muzaffarpur in connection with Bettiah (Town) P.S. Case No. 644 of 2019.

(Prabhat Kumar Singh, J)

Prakash/-

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