

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26566 of 2025

Arising out of PS. Case No.-853 Year-2023 Thana- MASAUDHI District- Patna

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Umesh Paswan @ Umesh Kumar, S/o Late Rambalak Paswan, Resident of
Village- Sarwan, P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Pathak, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with
Masaurhi P.S. Case No. 853 of 2023 instituted for the offences
under Sections 420 and 406/34 of the Indian Penal Code. He
has no criminal antecedent.

3. The prosecution case is to the effect that on the
direction of District Co-operative Officer, the Co-operative
Officer, Masaurhi Block has lodged the FIR alleging therein that
the Chairman, Manager and Members of Nishiyawana PACS,
Masaurhi Block are not depositing CMR and also for not
depositing cash credit amount of Rs. 1,35,64,543/- only with the
concerned bank.

4. It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case and he being the member of the concerned PACS has wrongly been assigned to deposit the CMR. It is further submitted by learned counsel for the petitioner that as far as the financial transactions are concerned, the same is done by the Chairman of the PACS and it does not concern with the members of the PACS to do the same. It is also submitted by learned counsel for the petitioner that there is a general and omnibus allegation against all the seven named accused persons. It is lastly submitted that the petitioner is having clean antecedent and is in custody since 23.12.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the allegation is on non-depositing of CMR and cash credit amount and not of usurping the said amount for personal gains and the petitioner being only a member of PACS and also that the petitioner is having clean antecedent and is in custody since 23.12.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Additional Chief Judicial Magistrate, Masaurhi in connection with Masaurhi P.S. Case No. 853 of 2023, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of



verification.

(Sourendra Pandey, J)

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