

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87461 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- KUTUMBA District- Aurangabad

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1. Kumud Ranjan Mishra S/o Mahendra Kumar Mishra R/o Village- Pipra, Bagahi, P.S.- Kutumba, District- Aurangabad
 2. Sunil Kumar Thakur S/o Ram Pravesh Thakur R/o Village- Pipra, Bagahi, P.S.- Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Central Cooperative Bank Limited Branch Kankarbagh, through Rajeev Ranjan Kumar R/o Village- New Area Ward No.5, (Opposite Manokamna Mandir), P.S. and P.O. and District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pramod Kumar Singh
For the Opposite Party/s :	Mr. Ram Priya Sharan Singh, APP
For the Informant	Mr. Sanjay Kumar, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 14-07-2025 Heard learned counsel for the petitioners, learned counsel for the OP.No.2 and learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 409, 420, 120, 34, 467, 468, 471, 186 of the Indian Penal Code.

3. The allegation in the FIR was with regard to defalcation of an amount to the tune of Rs. 25,63,206.60/-

4. Learned counsel for the petitioners submits that while petitioner no. 1 is the Chairman and petitioner no. 2 is Manager of the concerned PACS. It has been submitted that there has been no embezzlement of any amount rather the money could not be paid due to reasons beyond control as the paddy had got damaged. However, it has been submitted that the entire amount



of Rs.25,63,206.60/- has already been deposited by the petitioners before the Aurangabad Central Co-operative Bank Ltd and in lieu of the same, no dues certificate has already been issued vide letter no. 92 dated 14.05.2022. The said certificate has been annexed as Annexure-4 to the petition.

7. Learned counsel for the OP.No.2 does not oppose the said fact of deposit of the defalcated amount and has stated in the counter affidavit filed on behalf of the Co-operative Bank.

8.Considering the aforementioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, in the event of their arrest/ surrender within a period of four weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- (ten 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 Kutumba P.S.Case No. 57 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Soni Shrivastava, J)

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