

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.142 of 2025

Arising Out of PS. Case No.-121 Year-2017 Thana- AURAI District- Muzaffarpur

=====

Lalbabu Rai @ Lal Babu Ray S/O Late Tunai Rai Resident of Village and
Post Bedaul Asli, P.S- Aurai, Dist- Muzaffarpur, Chairman of Janar Jivajor
Benipur PACS

... .. Petitioner/s

Versus

1. The State of Bihar
2. Branch Manager, Central Cooperative Officer, Aurai P.S. Aurai Dist-
Muzaffarpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 07-11-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and Mr. Rakesh Kumar Jha, learned counsel
appearing on behalf of Muzaffarpur Central Co-operative Bank.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 409
and 420 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner had earlier moved this Court seeking anticipatory bail
by filing Cr. Misc. No. 58377 of 2017 and the same came to be
rejected by an order dated 27.04.2018 (Annexure-P/1).
4. It is next submitted that allegation in the FIR was
that the petitioner being the Chairman of PACS had received
paddy for the financial year 2016-17 from the loan granted by



the Central Co-operative Bank, Aurai Branch, Muzaffarpur. Further, the petitioner was asked to keep the paddy in his own godown and to supply the same to the attached rice miller, but the CMR of the aforesaid paddy was not deposited by the petitioner in the FCI godown, Muzaffarpur. Further, the godown was inspected physically on 13.07.2017 and the paddy was not found in the godown.

5. Learned counsel for the petitioner submits that the present anticipatory bail application has been filed based on the changed circumstances. It is further submitted that the petitioner has deposited the entire amount of Rs.5,76,300/- with the Central Co-operative Bank, Muzaffarpur and the bank has given no dues certificate dated 16.03.2023 as would be evident from Annexure-P/3 to the anticipatory bail application. It is next submitted that petitioner will not abscond rather will face the trial and will prove his innocence.

6. Learned counsel appearing on behalf of the Bank does not dispute the said submission of the learned counsel appearing on behalf of the petitioner that an amount of Rs.5,66,300/- has been deposited with the bank.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Aurai P.S. Case No. 121 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, if the learned trial court comes to a conclusion that petitioner, after obtaining anticipatory bail, is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

