

In The Court of Sessions Judge, Buxar

A.B.P. No. 308 of 2026

(Arising out of Complaint Case No. 431(C)2023)

Amar Rai (President of PACS), aged about 65 years, S/o Late Salik Rai
R/o Orap Khurd, Police Station- Itarhi, District- Buxar

..... Petitioner

Versus

State of Bihar

..... Respondent

Appearance:

Ld. Public Prosecutor for the State: Sri Kedar Nath Tiwari.

Ld. Counsel for petitioner: Sri Rajesh Ranjan Sahay, Ld. Ad.

Present: Kajal Jhamb
Sessions Judge, Buxar

Date of Order: 26th March, 2026

Present Anticipatory Bail Petition filed on behalf of petitioner named above, who is apprehending his arrest in connection with Complaint Case No. 431(C)2023, wherein the learned Court has found a prima-facie case made out u/s 406 of I.P.C., is put up and moved today.

Copy of bail petition has already been served to the Learned Public Prosecutor for the State.

Learned Counsel for the petitioner certifies that no other bail petition has ever been filed on behalf of the petitioners in this matter either before this Court or before any Superior Court. The petitioner has got criminal antecedent of 3 cases. Prosecution has no objection to the submissions.

The Counsel further submits that, the petitioner is quite innocent and has been falsely implicated in this case due to ulterior motive. The petitioner had never committed any offence. The prosecution story is false, fabricated and concocted. The petitioner was Chairman of PACS during the year 2009 to 2019. One Rama Kant Rai was the manager and in charge of the said banking system. When the offence was allegedly committed all the transaction was done by said Rama Kant Rai and petitioner had no role except the role of a signatory. The banking system is a separate accommodation under the PACS and the same is looked after by the Manager himself and the petitioner has no concern with any transaction. There is no specific allegation against the petitioner rather the same is vague and omnibus. Therefore, petitioners be enlarged on anticipatory bail.

Learned Public Prosecutor for the State vehemently opposed the prayed of bail on the ground of nature and seriousness of offence.

Prosecution case in brief is that, the present complaint case has been filed by complainant Sri Ram Tiwari against the petitioner Amar Rai, President,

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Primary Agricultural Credit Co-operative Society Limited, Narayanpur (Itarhi) and co-accused namely 1. Bagish Pandey (Manager), 2. Ramakant (Singh) Rai, Secretary, Primary Agricultural Credit Co-operative Society Limited, Narayanpur (Itarhi), 3. Amit Singh, Present President Pacs, Primary Agricultural Credit Co-operative Society Limited, Narayanpur (Itarhi) alleging therein that, he is a farmer having his Saving Account in Primary Agricultural Credit Co-operative Society Limited, Narayanpur (Itarhi) vide Account No. 58. He opened the said account on 21.05.2008 and deposited Rs. 40,700/- in his account On 04.07.2017. On 03.11.2015 he deposited Rs. 1,00,000/- in fixed deposit of which maturity amount is Rs. 1,09,308/-. When he went to withdraw his money, all the named accused persons made excuses. Finally, on 06.04.2023 complainant along with his witnesses went to Bank and met with the accused persons but till date they have not handed over the complainant's money.

Heard learned counsels of both sides and perused the case record. From perusal, it transpires that cognizance of offense u/s 406 of I.P.C. has already been taken by the learned Trial Court and the record is pending for the appearance of petitioner.

Thus, considering the submission of learned Counsels and fact and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the anticipatory bail petition of petitioner **Amar Rai** is hereby **disposed off** with a direction to petitioner to surrender before learned Trial Court and seek regular bail which shall be decided by learned Trial Court without being prejudiced by this Order.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
26.03.2026

Date of Order	26.03.2026
Date of uploading	30.03.2026
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