

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37852 of 2013**

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Madan Mohan Prasad Singh @ Madan Prasad Singh, son of Baleshwar Singh, resident of village- Baburam Singh Tola, P.S. Muffasil (Bekapur), District Munger.

.... .... Petitioner

Versus

The State Of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Bharat Lal, Advocate

For the State : Mr. Harendra Prasad, A.P.P.

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2      24-12-2013

I have heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest or surrender registered in a case for an offence punishable under Sections 420, 466, 467, 468, 120(B) of the Indian Penal Code.

As per allegation, the accused Janardan Yadav, Singheshwar Yadav and Laxmi Prasad Nayak, who were commission agents dealing in pump set in different agencies, impressed upon the complainant to get loan under the scheme of Government to provide loan to Harijan-Adivasi and weaker section of the society. They brought the complainant and his two brothers to Forbesganj and obtained their L.T.I's. on several papers and ultimately after application having been made loan for pump set was sanctioned including part of it for construction of

Nala etc. It has been alleged that the accused Laxmi Prasad nayak and Janardan Yadav were identifiers. The amount, sanctioned was never received by the complainant or his brother. Thus, the allegation is that the aforesaid accused persons conspired with the petitioner who was the Branch Manager and cheated the aforesaid person.

Learned counsel for the petitioner submits that from Annexures 2, 2/1 and 2/2 which are the office order and letters as well as certificate granted by the competent authority, it would appear that the petitioner was posted at the concerned Branch of the Land Development Bank on 24.2.1978 whereas the period of occurrence is from 1.4.1977 to 4.5.1977. Thus, at the time of alleged occurrence, since the petitioner was not posted in the Bank concerned, there would be no question of his involvement. It is submitted that the other accused persons are enjoying privilege of bail. The sanctioned loan amount has already been liquidated. The petitioner has already retired from service in the year 2006 itself.

Having regard to the facts and circumstances, let the petitioner namely Madan Mohan Prasad Singh @ Madan Prasad Singh, in the event of his arrest or surrender before the court below within six weeks from today, be enlarged on anticipatory bail on his furnishing bail bond of Rs.10,000/- (ten thousand only)

with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Farbesganj P.S. Case No.287 of 1987, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Dr. Ravi Ranjan, J)**

N.H./-