

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29031 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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1. Baban Pandey S/o Sheo Shankar Pandey, R/oVillage - Barka Dih, P.S. -
Shivsagar (Baddi), District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey

For the Opposite Party/s : Mr. U.L.Verma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-07-2015 Supplementary affidavit is filed on behalf of the

petitioner.

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Shivsagar (Baddi) P.S. Case No. 108 of 2014 registered for the

offences punishable under Sections 467, 468, 471, 409, 420 of the

Indian Penal Code.

Petitioner was post master and prior to institution of

the present case, Shivsagar (Baddi) P.S. Case No. 36 of 2013 was

lodged against unknown person for illegal withdrawal of Rs.

7,94,560/- from the Madhya Bihar Gramin Bank. In course of

investigation of the aforesaid case, the name of petitioner surfaced

and he was made accused. Subsequently, he was sent to jail custody in connection with above stated Shivsagar (Baddi) P.S. Case No. 36 of 2013 on 09.05.2013 and remained in judicial custody till July, 2013. However, petitioner was granted bail in the above stated case by a co-ordinate Bench of this Court.

The contention on behalf of the petitioner is that the present case is offshoot of above stated Shivsagar (Baddi) P.S. Case No. 36 of 2013 and moreover, the entire so-called defalcated amount has already been deposited by the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 Chief Judicial Magistrate, Rohtas, Sasaram in Shivsagar (Baddi) P.S. Case No. 108 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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