

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24531 of 2013

Arising Out of PS.Case No. -276 Year- 2008 Thana -CHAPRA CITY District- SARAN

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1. Ashish Kumar @ Tarkeshwar Prasad Son Of Chandra Bhushan Mishra,
Resident Of Mohalla- Gudri Ashish Palace, Police Station- Bhagwan Bazar,
District- Saran (Chapra)

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Mukesh Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 408 and 420 of the Indian Penal Code.

It is alleged that Binod Kumar Srivastava being Secretary of the Paper Foundation Trust, misappropriated Rupees seven lacs. The petitioner was one of the trustees.

It is submitted by the learned counsel for the petitioner that there was treasurer/accountant of the trustee and petitioner was himself a donee and there is nothing on record to suggest that any money was withdrawn by the petitioner.

After going through the case diary, it is submitted by

learned counsel for the State that the thrust of accusation is against the Secretary and investigation has still not concluded. Statement has been made in paragraph 12 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra in connection with Chapra Town P.S. Case No. 276 of 2008 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation in investigation by the petitioner will give liberty to prosecution to file application for cancellation of bail bond by learned court below.

(Dinesh Kumar Singh, J)

Anil/-

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