

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1034 of 2015

Arising Out of PS.Case No. -54 Year- 2014 Thana -CHANAN District- LAKHISARAI

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Prakash Paswan Son of Late Raj Kumar Paswan Resident of Topkhana
Bazar Munger, P.S. - Kotwali, District - Munger, at present Nazir Chanan
Block, P.S- Chanan, District - Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-05-2015

The petitioner is apprehending his arrest in connection
with Chanan P.S.Case No. 54/2014 instituted under Sections 419,
420, 409, 467, 468 and 471 of the Indian Penal Code.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the petitioner
was the Nazir of the Block Chanan on the relevant period. It is
further alleged that the accused /petitioner had withdrawn Rs.
3,20,000/- in the name of Sri Ramesh Kumar on the basis of
forged signature of one Shailendra Kumar, the then Block
Development Officer, Block Chanan. The petitioner further
withdrawn Rs. 3,00,000/- in the name of Ramesh Kuamr on the
basis of forged signature of Shailendra Kumar (informant) the
then Block Development Officer, Block Chanan. The FIR was
lodged against the accused/petitioner at the behest of Shailendra

Kumar, the then Block Development Officer, Block Chanan.

It has been submitted on behalf of the petitioner that the prosecution has been brought against him out of mistake of fact. It has further been submitted on behalf of the petitioner that vide Annexure 2 the petitioner has already deposited an amount of Rs. 6,20,000/-. In support of that the deposit receipt has been annexed as Annexure 2 series to the present application.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the fact that the petitioner has already deposited an amount of Rs. 6,20,000/-, it is directed that the court below shall verify this fact whether Annexure 2 series are genuine or not and if the same is found to be genuine then the above named petitioner, in the event of his arrest or surrender in the court below within a period of five weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Chanan P.S. Case No. 54/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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