

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46772 of 2014

Arising Out of PS.Case No. -129 Year- 2013 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

=====

1. Santosh Kumar Son of Uma Shankar Prasad Resident of village - Sherwa
Bhuski, P.S. Gaunaha, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Binod Kr. 2(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 03-07-2015

Heard the Counsel for the petitioner and the APP for
the State. A supplementary affidavit has been filed on behalf of
the petitioner which is taken on record.

Petitioner apprehends his arrest in Shikarpur P.S.
Case No. 129 of 2013 instituted under Sections 420, 409, 467,
468, 471 and 120B of the Indian Penal Code.

The allegation is that the amount which was credited
in favour of the beneficiary including the complainant for
construction of Indira Awas was withdrawn by the petitioner who
was Assistant Post Master of the Post Office. It has been stated
inter alia that in course of investigation, it has been revealed that
the installment in the sum of Rs. 15,000/- was not credited to the
account.

Learned APP for the State, on the other hand, submits that in course of investigation, witnesses have supported the allegation with regard to the misappropriation of the monetary benefits to the beneficiaries under different schemes. That apart, it appears the petitioner is facing prosecution of similar nature in more than two cases.

Taking into account the aforesaid fact, I am not persuaded to privilege the petitioner with anticipatory bail. Prayer is, accordingly, rejected.

In case the petitioner surrenders and prays for bail, the same shall be considered by the Court below on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--