

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13802 of 2015

Arising Out of PS.Case No. -193 Year- 2014 Thana -CHAPRA TOWN District- SARAN

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Raj Kumar Prasad @ Raj Kumar Gupta, son of Late Bharat Prasad, resident
of Mohalla - Chhatradhari Bazar, P.S.- Bhagwan Bazar, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshlal Verma(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 08-09-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner, being the Assistant Postmaster, Head
Post Office, Chapra, is apprehending his arrest in connection
with Chapra Town P.S. Case No.193 of 2014 for allegedly
having committed the offence under Sections 409, 420, 467,
468, 471 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation against the petitioner is wholly misconceived on
account of the fact that there is no statement that actually the
withdrawals were made at the behest of this petitioner though
he accepts the fact that he being the part of the Establishment,
the process of encashment may have been routed through him.



Learned counsel further submits that the entire allegation is against one Indradeo Prasad and not against this petitioner and the informant had made complaints/grievances before the Head Postmaster and Senior Postmaster General of Chapra Post Office. Learned counsel for the petitioner thus submits that the allegation being squarely against said Indradeo Prasad, the petitioner may not be prosecuted in connection with the alleged withdrawal of the money of the informant. It is further submitted that another similarly situated person, namely, Nagendra Shyam @ Nagendra Kumar Shyam, has been extended the privilege of anticipatory bail by a Bench of this Court in Cr.Misc. No.10689 of 2015, vide order dated 17.3.2015.

Considering the aforementioned facts and circumstances and the nature of allegations made against the petitioner and also that there are no cogent materials in the case diary, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial

Magistrate, Chapra, (Saran) in connection with Chapra Town
P.S. Case No.193 of 2014, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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