

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12676 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Raj Kumar Prasad, Son of Late Bharat Prasad, Resident of Mohalla-
Chhatradhari Bazar, Police Station - Bhagwan Bazar, District - Saran at
Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satya Prakash, Advocate.

For the Opposite Party/s : Mr. Arvind Kr. Panday, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 27-06-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 406, 420, 467, 468, 471, 409, 120(B) of the Indian Penal
Code.

The complainant filed Complaint Case No.
3298/2015 on the basis of which the present FIR was lodged. The
informant alleged that Indradeo Prasad Singh, a postal agent, took
papers from him to open three accounts under Monthly Income
Scheme (MIS) and got deposited altogether Rs. 4,50,000/- against
MIS No. 511520, 511521, 511522 for a period of six years. The
informant further alleged that Indradeo Prasad Singh took all the
three pass-books and also got his signatures on the withdrawal
forms, but in the year 2015 the informant got a notice from the
Post Office that due to inadvertence an amount of Rs. 2,79,000/-

was credited in his account and, therefore, the informant was asked to return the same. It is submitted that the petitioner did not ever take any money from the informant nor persuaded him to open the account. There is nothing on the record to show that the petitioner withdrew any money from the account of the informant. It was Indradeo Prasad Singh, who took the signatures of the informant on the withdrawal forms. Co-accused Binod Kumar Singh has been granted anticipatory bail vide order dated 01.04.2016 passed in Cr. Misc. No. 13836/2016. The amount was withdrawn in the year 2012 but the complaint itself was filed after three years of the occurrence.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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, Saran at Chapra in Town (Saran) P.S. Case No. 73 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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