

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13836 of 2016

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

Binod Kumar Singh, Son of late Surajdeo Singh, Resident of Village-
Bakharia, P.S.- Majhauria, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. A. Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2016

Heard learned counsel for the petitioner. Despite repeated calls, none appears for the State.

The petitioner seeks pre-arrest bail in connection with Town (Saran) P.S. Case No. 73 of 2016 registered under Sections 406, 420, 467, 468, 471, 409 & 120-B of the Indian Penal Code.

It is contended that there is inordinate delay of more than three years in lodging the complaint case which was referred to the police for institution of FIR. The alleged maturity amount of the informant was withdrawn from the account of the informant on 28/29.09.2012 and the initial complaint case was lodged on 03.11.2015 which was referred under Section 156(3) CrPC to the police for investigation pursuant to which the FIR was instituted on 27.01.2016. It is further contended that the

petitioner has been named in the complaint in retaliation to the notice dated 03.11.2015 issued by the postal department for recovery of amount of Rs. 2,79,300/- from the informant which was wrongly credited in the account and the said amount was withdrawn by the informant on 05.12.2012. It is further contended that being Central Government employee, the petitioner has got roots in the society and is not likely to abscond or tamper with the evidence.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Town (Saran) P.S. Case No. 73 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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