

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4005 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Amit Kumar Yadav S/o Abhiram Yadav, Resident of Village Mali, P.S.
Beldaur, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Fulo Devi, W/o Chandra Kishore Mistry, Resident of Village - Mali
Bishnpur, P.S. - Beldaur, District - Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2016 Petitioner is apprehending his arrest in a
complaint case wherein processes were directed to be issued
after cognizance being taken for the offences punishable under
Sections 403, 406, 417 of the Indian Penal Code.

The prosecution case is that the complainant
was elected as Up-Mukhiya of Rajmali Panchayat in the year
2011. Co-accused Prem Kumar Verma being posted as
Panchayat Secretary started monitoring scheme No. 01/10-11
and 02/10-11. The Panchayat Secretary Prem Kumar Verma
withdrew Rs. 3,00,000/- from joint account by obtaining the
signature of the complainant who is housewife. It is alleged
against the petitioner that petitioner was associate of co-
accused Prem Kumar Verma.

It is submitted by learned senior counsel for

the petitioner that complainant herself admitted that account was being operated with joint signature of the complainant with the Panchayat Secretary and her signature was fraudulently obtained by the Panchayat Secretary. The petitioner was neither Panchayat representative nor held any post in the administration.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the thrust of accusation against co-accused Prem Kumar Verma, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with Complaint Case No. 26(C) of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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