

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42481 of 2016

Arising Out of PS.Case No. -128 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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1. Ashwani Kumar @ Ashwini Kumar, Son of Late Harish Chandra Thakur,
Resident of Village- Ahiyari, Police Station- Kamtaul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Postal Inspector, North Subdivision, Darbhanga, Pin Code No.
846005.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Ms. Kanak Verma, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Kamtaul P. S. Case No. 128 of 2016, disclosing offences under Section 409 of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as Branch Post Master at Alimabad Nimrauli, in the District of Darbhanga. Allegedly, he misappropriated certain amount received by him from different account holders, which were to be deposited in their respective accounts.

Learned counsel for the petitioner has submitted that even before registration of the First Information Report, the petitioner has deposited the entire amount alleged to have been

misappropriated by him. He has also submitted that in such circumstance, there being no chance of his fleeing from the course of investigation or trial nor scope for tampering with the evidence, no purpose would be served if the petitioner is taken into custody.

Considering the above, this application is allowed. Let petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below, 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, Darbhanga in Kamtial P. S. Case No. 128 of 2016 (G.R. No. 2385 of 2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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