

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45298 of 2017

Arising Out of PS.Case No. -348 Year- 2017 Thana -KOTWALI District- PATNA

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1. Sachida Nand Sahai, son of Late Jugal Kishore Sahai, resident of village and Police Station- Deep Nagar, District- Nalanda, At present resident of Mohalla- Pitambra Mandir Colony, P.S.- Alamganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. N.K. Jha, General Manager (Finance & Account), Bihar State Power (Holding), Company Limited, Bailey Road, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-09-2017 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kotwali Police Station Case No. 348 of 2017, disclosing offences under Sections 408, 409, 418, 419, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner has assured the General Manager, F & A, Bihar State Power Holding Company Limited to return the alleged amount which is said to have inadvertently been transferred to his account by one Shashi



Kumar, which is evident from annexure-2, and accordingly the said amount has been returned by the petitioner to the Power Holding Company vide Cheque No. 97694, which is evident from annexure-3. No case under Section 420 of the Indian Penal Code is made out against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Patna, in connection with Kotwali Police Station Case No. 348 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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