

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23032 of 2017

Arising Out of PS.Case No. -865 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

=====

1. Dimpri Kumari @ Deempi Kumari W/o Ram Kumar Singh Resident of
Village- Tenduni, Ward No. 9, P.S. Bikramganj, District - Rohtas
(Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Sasaram
(Model) P.S. Case No. 865 of 2015 instituted for the offence under
Sections-406, 467, 468, 471 of the Indian Penal Code.

It is alleged in the written report that the petitioner is a
licensee of composite liquor shop at Tenduni, Dehri Road,
Bikramganj.

It has been submitted that the petitioner submitted three
term deposit Pass Book as security money of Rs. 19,00,000/- in
the name of Dharmendra Kumar Singh. The aforesaid pass book
was sent to Postmaster, Munji for verification. The postmaster
Munji vide letter No. 1227 dated 17-05-2014 reported that the said



pass books are genuine. The licence of the petitioner was cancelled on 03-01-2015 and her security money was seized. The letter was sent to Munji Post office for recovery of security money who submitted report that no any pass book was issued from his office and the said pass books are forged. The petitioner filed a petition dated 05-04-2014 that the pass book issued by Muiji Post Office may kindly be accepted as security money. The Postmaster Dharmnendra Kumar Singh also submitted that he has no objection if the security money is accepted.

There is allegation that the security money of Rs. 19,00,000/- deposited by the petitioner was forged and postmaster Dharmendra Kumar Singh issued forged pass book by which the petitioner has caused loss to the Department of Excise.

Counsel for the petitioner has submitted that the document submitted by the petitioner was genuine and as per letter of Post Master, Munji dated 17-05-2014 addressed to Asstt. Commissioner, Excise, enclosed with written report at page 40 & 41, it is apparent that these pass books are pledged and they can be released in favour of Dharmendra Kumar Singh only after clearance from Excise Department.

Learned counsel for the petitioner submits that co-accused Dharmendra Kumar has already been granted privilege of



anticipatory bail by a coordinate bench of this court by order dated 16-05-2016 passed in Cr. Misc. No. 19123 of 2016.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sasaram (Model) P.S. Case No. 865 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

