

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22079 of 2018

Arising Out of PS,Case No. -50 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Prem Chandra Jaiswal son of Kanhai Lal Jaiswal, resident of village-
Pratappatti, Ward No.10, Police Station-Sahebganj, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the State : None

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 26-04-2018

Heard learned counsel for the petitioner.

Despite repeated calls no body appears on behalf of the
State.

The petitioner seeks pre-arrest bail in connection with
Kesariya P.S. Case No. 50 of 2017 registered under Sections 406,
420, 504 and 506 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that the son of the petitioner Vivek Kumar dealt in Indian made
foreign liquor having having Licence No. 32/FC/14-15. After
obtaining licence, he started his business at Kesariya East
champan and in that course he came in contact with the
informant. The informant got the account of Vivek Kumar opened



in the bank and, thereafter, informant was engaged as his Manager with duty of deposit of rent, preparation of demand draft, lifting of wine from the Bihar State Beverage Corporation Limited (for short 'BSBCL'), preparation of permit etc. and in lieu of that he was being given Rs.12000/- per month. He submitted that the allegation of embezzlement etc, levelled in the FIR is completely false. The informant being an employee of Vivek Kumar, who was running his business at Kesariya, East Champaran and by committing fraud he deposited some demand drafts in his own account instead of the account of Vivek Kumar and got prepared draft in the name of BSBCL Motihari. He contended that no committee as mentioned in the FIR was ever constituted and the entire allegations made in the FIR are only with a purpose to extract money from the petitioner and others.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation made in the FIR as also the arguments advanced before this court, the petitioner, who is said to be the man of clean antecedent, in the event of arrest or surrender in the court below within six weeks from today, is directed to 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 Additional Chief Judicial Magistrate-XI, East Champaran Motihari in connection with Kesariya P.S. Case No. 50 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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