

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41813 of 2018

Arising Out of PS.Case No. -145 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

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1. Amrit Kumar, Son of Sri Ram Ekbal Singh, Resident of Village-
Lalapur, Police Station- Kudra, District- Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Kargahar P.S. 145 of 2016, registered for offences punishable under Sections 406, 407, 408 and 420/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner along with others is of defalcation of money of Rs. 34, 76,400/-. It is further alleged that these persons deposited Rs. eight lakhs in other Bank (A.T.M) of Bank of India and police was recovered Rs. 7, 50,000/-.

Submission of the learned counsel for the petitioner is that the petitioner has not committed any offence and the case was lodged after the direction of Superintendent of Police, Rohtas



and again registered second F.I.R. in respect of same offence and it is a cardinal principle of law that for the same offence, two F.I.R. can not be lodged.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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