

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24103 of 2017**

Arising Out of PS.Case No. -147 Year- 2016 Thana -NAUTAN District- SIWAN

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Lallan Gore, son of Ramakant Gore, resident of village Shahpur, P.S.  
Nautan, Distt. Siwan.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghav Prasad, Advocate.

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

5      23-01-2018                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nautan P.S.**

**Case No. 147 of 2016** instituted for the offence under Sections  
406, 420, 120(B), 409, 427, 323, 354 and 506 of the Indian Penal  
Code.

Learned counsel for the petitioner has submitted that  
he has no concern with the alleged Bank. He is chronic patient of  
leprosy. It has further been submitted that the entire money  
dealing was done by Harendra Dubey and Amit Kumar Dubey @  
Dablu which is apparent from complaint petition itself which was  
sent to Police Station under Section 156(3) Cr. P.C.

In the complaint petition it is alleged that this  
petitioner was Chairman of two Banks which are alleged to have  
been opened by accused Harendra Dubey and Amit Kumar Dubey



@ Dablu Dubey. It is alleged that complainant has deposited Rs.35,000/- in one of the scheme of the Bank on 18.4.2014 but the Bank was closed and he did not get back his money. From the complaint petition itself it is apparent that there is no any specific allegation against the petitioner of taking any money from the complainant.

Learned counsel for the complainant has appeared and submitted that this petitioner was the Chairman of the Bank and he is also responsible for money deposited in the Bank. The petitioner along with other accused persons has misappropriated the amount of Rs.35,000/- of the informant which was deposited in the Bank.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Nautan P.S. Case No. 147 of 2016**, he shall be released on anticipatory 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-XII, Siwan**, subject to the conditions as laid down under Section 438 (2) 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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)**

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