

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Criminal Miscellaneous No.24807 of 2018

Arising Out of P.S. Case No. -223 Year- 2017 Thana -AKBARPUR District- NAWADA

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1. Man Sarowar Singh aged about 59 Years , S/o Late Bhav Sagar Singh,  
R/o Vill.- Bhadseni, P.O.- Bhadseni, P.S.- Hisua, District- Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

#### Appearance :

For the Petitioner/s : Mr.N.K.Agrawal, Sr.Adv

: Mr. Sunil Kumar, Adv

For the Opposite Party/s : Mr. Shyam Kumar Singh, Adv

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      01-08-2018                      Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner seeks bail in a case registered for  
the offences punishable under Sections 419,420,467,468  
and 409/34 of the Indian Penal Code.

The petitioner had lodged Akbarpur P.S. Case  
No. 223 of 2017 on 05.10.2017, alleging therein that local  
Mukhiya has withdrawn money from the Govt. account. The  
petitioner was Panchayat Secretary of the same Panchayat.  
During investigation of the case, it revealed that the Mukhiya  
and the petitioner both had signed on the withdrawal  
cheques. Thereafter, the petitioner was made accused in  
Akbarpur P.S. Case No. 223 of 2017 as well as in Akbarpur  
P.S. Case No. 257 of 2017 lodged by the District Magistrate,  
Nawada relating to same transaction of withdrawal of public  
money and misappropriation of the same.



Submission is that the petitioner is in custody since 20.12.2017 and at the time of initial hearing of the bail applications, the petitioner had challenged his signature on the cheques which were honoured by the Bank.

By order dated 23.03.2018, this Court called for report of the Forensic Expert and the available report forwarded by the Superintendent of Police would reveal that on most of the cheques, the signature of the petitioner with admitted signature did not resemble and in some other matters, the expert is not of definite opinion that the signature is of the petitioner.

Considering the aforesaid material on the record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Akbarpur Police Station Case No.223 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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