

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31642 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -BABUBARHI District- MADHUBANI

- =====
1. Rampriti Mahto, Son of Late Kamal Mahto, Resident of Village - Babubarhi, Police Station - Babubarhi in the district of Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Head Post Master, Postal Department, Government of India, New Delhi.
3. Manohar Kumar, S/o Shri Vilash Kumar Jha, resident of Village - Hem Nagar, P.O. Balua Kachheri, P.S. - Sarsho, District - Purnea, at Present Postal Inspector, North Sub-Division, Jhanjharpur, District-Madhubani.

.... Opposite Party/s

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with

Criminal Miscellaneous No.31548 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -BABUBARHI District- MADHUBANI

- =====
1. Shashi Kumar Singh, Son of Sri Sant Lal Singh, Resident of Village - Sukki, Police Station - Khajuali in the district of Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Head Post Master, Postal Department, Government of India, New Delhi.
3. Manohar Kumar, S/o Shri Vilash Kumar Jha, resident of Village - Hem Nagar, P.O. - Balua Kachheri, P.S. - Sarsho, District - Purnea, at present Postal Inspector, North Sub-Division, Jhanjharpur, District-Madhubani.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.31642 of 2018)

For the Petitioner : Mr. Akhileshwar Pd. Singh, Sr. Advocate
Mr. Surendra Prasad Singh, Advocate

For the O.P. : Mr. Bharat Bhushan, A.P.P.
Mr. Anjani Kumar Sharan, Asst. S.G.

(In Cr.Misc. No.31548 of 2018)

For the Petitioner : Mr. Akhileshwar Pd. Singh, Sr. Advocate
Mr. Surendra Prasad Singh, Advocate

For the O.P. : Mr. Bharat Bhushan, A.P.P.
Mr. Anjani Kumar Sharan, Asst. S.G.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 28-09-2018

Heard learned counsel for the petitioners and learned



Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 409, 419, 420, 467 and 468/34 of the Indian Penal Code.

Allegation against the petitioners is of defalcation of money deposited by different account holder in the post office. The manner of defalcation alleged is that the account holders deposited money with the post office where the petitioners were posted as Assistant Post Master but the money was misappropriated and was not shown in the government records.

During pendency of these bail applications, a part of the amount is said to have been returned by the petitioners.

Considering the nature of allegation, the petitioners do not deserve anticipatory bail. Hence, prayer for bail is refused in connection with Bahubarhi Police Station Case No. 46 of 2018 giving rise to G.R. No. 418 of 2018 pending in the court of learned 2nd Additional Chief Judicial Magistrate, Madhubani.

(Birendra Kumar, J)

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