

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9786 of 2019

Arising Out of PS. Case No.-123 Year-2011 Thana- RAFIGANJ District- Aurangabad

Ashok Kumar @ Ashok Kumar Singh, aged about 45 years (Male) (Area Advisor Horticulture Department, Rafiganj), Son of Late Sardar Singh, Resident of Village - Pandwariya, P. S. - Karaghar, District- Rohtas (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Rafiganj P.S. Case No. 123 of 2011, registered for the offence under Sections 467, 468, 471 and 409/34 of the Indian Penal Code.

A complaint has been filed by one Upendra Paswan with regard to alleged defalcation of Rs.1,10,250/-, which led to registration of F.I.R. by the Police vide Rafiganj P.S. Case No.123 of 2011.

Learned counsel for the petitioner submits that for the same allegation a writ petition vide C.W.J.C. No.6930 of 2008 was filed and this Court has passed the order to examine the allegation made by Urmila Devi and take decision



accordingly. Whereafter, the Director, Administration, took a decision vide memo no.864 dated 02.03.2009, recording that after inquiry it was found that no defalcation has been made.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Ashok Kumar @ Ashok Kumar Singh, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case no. 123 of 2011, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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