

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1752 of 2019

Arising Out of PS. Case No.-22 Year-2018 Thana- CHANDAN District- Banka

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Shailendra Kumar Late Ramdeo Singh Resident of village- Bara Sirishi, Near Kalyan Bigha, P.S- Harnout , dist- Nalanda, at present Resident of mohalla- Belabagan near Durgabari Pragya centre, P.S- Deoghar, District- Deoghar (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-05-2019 Supplementary affidavit is filed on behalf of the petitioner.

Let it be kept on record.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 167, 467, 468, 469, 420 and 409 of the Indian Penal Code.

The prosecution case, in brief, is that being the then Nazir of the Block Chandan, he tempered the cheque issued by the informant and deposited the same in his own account. The said amount was allegedly withdrawn by the petitioner.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner is in custody since 10-08-2018. Charge sheet in this case has already been submitted.

In the present case, ninety lacs of rupees is said to have been misappropriated by the petitioner. The petitioner happens to be Nazir of the block, in question. He has produced the photo state copies of bank accounts which have been frozen in connection with the present case. The passbooks of the account indicate that Rupees seventy lacs is available in two accounts. In SBI Account No. 31653507154, the balance amount is Rs. 5096529.48 (fifty lacs ninety six thousand five hundred twenty nine rupees and 48 paise) only whereas in another account bearing SBI Account No. 11886206728, the balance amount is Rs. 22,41378.38(twenty two lacs forty one thousand three hundred seventy eight rupees and thirty eight paise) only. It is further submitted that the petitioner is ready to deposit an amount of Rs. 10,00,000/- (ten lacs) which will be subject to final outcome of the case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner is directed to be released on provisional bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 22 of 2018. The petitioner will deposit an amount of Rs. 10,00,000/- (ten lacs) in the court below within two months from the date of his release from custody, which will be subject to final outcome of the case.

It is made clear that if, the petitioner deposits the amount of Rs. 10,00,000/- (ten lacs) within two months from his release, the provisional bail granted to him, will be confirmed by the court below itself. It is also made clear that if the petitioner fails to comply with the order, the provisional bail granted to him will stand cancelled by the court below.

(Sudhir Singh, J)

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