

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25117 of 2019

Arising Out of PS. Case No.-14 Year-2018 Thana- BHAGWANPUR District- Vaishali

Avinash Kumar, Son of Late Bindeshwar Sah, Resident of Village - Kanu Tola
Bhagwanpur, P.s.- Bhagwanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-07-2019 This is an application for grant of anticipatory bail in connection with Bhagwanpur P.S. Case No. 14 of 2018, disclosing offences under Sections 420, 406, 409 and 120B of the Indian Penal Code.

Prosecution case is that there is misappropriation of Rs.92,75,344/- and it is alleged that out of that, huge amount was also deposited in the account of the petitioner.

Submission of learned counsel for the petitioner is that Account No.8151447699 has not been opened by the petitioner and he has never made any transaction in that account and as a matter of fact, his own brother Raushan Kumar was illegally engaged by the Post Office and he is operating the account in the name of the petitioner and even in the name of his wife transferring the amount in those accounts.

Heard learned APP also.



Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioner to surrender before the learned court below on 31.07.2019 and on surrender, he will be released on provisional bail to the satisfaction of the learned court below with condition that he will appear before the Investigating Officer and produce the copy of this order and also to disclose that account was neither open by the petitioner nor any transaction has been made by him, who will enquire about the same. However, even after enquiry the case is found true against the petitioner, he has to surrender and pray for regular bail.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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