

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38340 of 2019

Arising Out of PS. Case No.-100 Year-2008 Thana- LAHERIMUHALLA District- Nalanda

Manik Chand Chaudhary @ Manik Chandra Chaudhary, S/o Late Tripeli Chaudhary R/o village- Khojachak, Puranderpur, P.S.- Ekangarsarai, District- Nalanda. At present residing as a Mohalla Bhaisasur in the house of Engineer Anirudh Singh, Beside Town Hall Biharsharif, P.S.- Laheri, District- Nalanda

... .. Petitioner

Versus

1. The State Of Bihar
2. Ram Nandan Prasad, son of late Rohi Mahto @ Rohan Mahto, resident of Mauza- Muzaffarpur, Police Station- Noorsarai, District- Nalanda.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh
For the Opposite Party No.2: Mr. Rana Baljit Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and learned counsel for informant-opposite party no. 2.

The petitioner seeks pre-arrest bail in connection with Laheri P. S. Case No.100 of 2008 registered under Sections 406, 419 and 420 read with 34 of the Indian Penal Code.

It is contended by the learned counsel for the petitioner that even if the entire allegations made in the FIR are taken to be true at their face value, none of the ingredients of the offences under which the case has been registered would be attracted. It is contended that initially a complaint was filed which was referred to the police for investigation pursuant to which FIR was instituted under Sections 406, 419 and 420 read



with 34 of the Indian Penal Code.

On the other hand, learned counsel for the informant submitted that there is specific allegation against the petitioner to have committed criminal breach of trust.

Regard being had to the nature of allegation as also the plea taken in para-3 of the application that the petitioner has got no criminal antecedent, in the event of arrest or surrender before the court below, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in Laheri P. S. Case No.100 of 2008, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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