

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25793 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- BIDUPUR District- Vaishali

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DURGESH KUMAR SINGH Son of Shri Birendra Kumar Singh Resident of
Village - Mirjapur, P.S. - Basant, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 24361 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- BIDUPUR District- Vaishali

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AMAN KUMAR GUPTA @ AMAN GUPTA @ ANNU S/o Sanjay Gupta
R/o village- Pakri, Post- Bhairapur Deodhi, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 25793 of 2020)

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv

For the Opposite Party/s : Mr.A.G.

(In CRIMINAL MISCELLANEOUS No. 24361 of 2020)

For the Petitioner/s : Mrs.Rina Sinha, Adv

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-10-2020 Let the defects be removed within two weeks of the
start of the physical Court.

Heard the parties in both the applications in virtual
Court.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections



409,406,420,467,468,120B,471,34 of the Indian Penal Code.

Petitioner-Durgesh Singh was posted as Sub Post Master at Bidupur Bazar Sub-postoffice in between 25.08.2018 to 26.07.2019. During the aforesaid period, petitioner allegedly transferred the money of the post office to different accounts and the same was re-transferred to the account of the petitioner after maturity which is detailed in the impugned order.

Petitioner-Aman Kumar Gupta @ Aman Gupta @ Annu was a helper of petitioner-Durgesh Singh in computer operation and claim of petitioner-Aman Kumar Gupta @ Aman Gupta @ Annu is that he acted on the dictate and direction of petitioner-Durgesh Singh.

Learned counsel for the petitioners submits that the FIR was lodged on 06.03.2020, however, entire alleged defalcated amount was already deposited by Aman Kumar Gupta @ Aman Gupta @ Annu on behalf of the petitioner and details of the same is at Annexure-2.

Considering the nature of allegation of defalcation of public money, subsequent refund of money would not minimize the charges, hence, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Bidupur P.S.Case No.88 of 2020 pending in the court of learned C.J.M., Vaishali at Hajipur.



Accordingly, prayer is refused. Their prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

Nitesh/-

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