

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23416 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- KASHICHAK District- Nawada

Ayodhya Prasad @ Ayodhya Mahto Son of Late Bundi Mahto (Present Karyakarini Member-cum-Manager) Resident of Village - Rebra Jagdishpur, P.S. - Kashichak, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Dinesh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-09-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Kashichak
P.S. Case No. 124 of 2019 for the offence under sections 406,
409, 420/34 of the Indian Penal Code.

Mr. Nawal Kishore Agarwal, learned senior counsel
for the petitioner submits that petitioner has no criminal
antecedent. He has been made accused in relation to defalcation
of customized milled rice.

Learned counsel submits that the allegation of
defalcation is general and omnibus and there is no specific
allegation of defalcation of the amount of CMR against this
petitioner in any manner.

The petitioner is in custody since 7.2.2020.



Considering the fact that the petitioner has no criminal antecedent and he is 65 years old, the Court is inclined to grant bail to the petitioner subject to the condition that the petitioner shall deposit Rs. 1,00,000/- (One lakh) cash before the court below and on deposit of Rs. 1,00,000/- the court below shall release the petitioner, named above on bail, on furnishing bail bond of Rs. 1,00,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nawada,, in connection with Kashichak P.S. Case No. 124 of 2019. The amount i.e. Rs. 1,00,000/- deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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