

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27850 of 2020

Arising Out of PS. Case No.-76 Year-2018 Thana- GHOSWARI District- Patna

RAKESH KUMAR SINGH Son of Late Ram Binod Singh Nagir Anchal
Karyalaya Ghoswari, Resident of Village - Khakhasa Bujurg, P.S.- Desari,
District - Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anchaladhikari Ghoswari, Smt. Seema Rani Daughter of Shri Prabhat
Ranjan , P. S. - Ghoswari, Patna., Resident of Village - Anarudh Belasar, P.S.
- Belasar, District - Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

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

The petitioner is apprehending his arrest in a case
registered under Sections 409, 419, 420 of the Indian Penal
Code.



Allegation is that the petitioner defalcated the government money.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The petitioner is a Nazir in the treasury department. Whatever payments was made, that was made as per the official order of the superiors under different heads. Only with the sanction order of the superiors, the payments is said to have been made, which is evident from Annexure 2, 3 and 4 to the present application.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, Patna in connection with Ghoshwari P.S. case No.76 of 2018, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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