

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28948 of 2020

Arising Out of PS. Case No.-31 Year-2018 Thana- INARWA District- West Champaran

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HARISHANKAR MAHATO Son of Late Chamari Mahato Resident of
Village- Siswa, Tajpur, P.S.- Bhangaha, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

This application, for grant of anticipatory bail, arises
out of Inarwa Police Station Case No. 31 of 2018, disclosing
offences under Sections 420/406 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that co-accused Manju Devi, who is a Ward
Councillor, withdrew a sum of Rs. 49,000/- from the bank
account of one Laxmi Devi by impersonating herself as Laxmi
Devi, and subsequently, on the intervention of the panchayat,
co-accused Manju Devi had refunded the said amount in the
account of Laxmi Devi. The name of the petitioner has
transpired in course of investigation when the statement of



Laxmi Devi was recorded, who told the police that Manju Devi withdrew the amount in connivance with one Ravi Shankar, but the petitioner has been roped in this case by saying that there is no person by the name of Ravi Shankar and that should be the petitioner Hari Shankar.

Learned Counsel for the petitioner submits that the petitioner is not named in the First Information Report, and he has falsely been implicated in this case due to political rivalry since the petitioner is the husband of local Ward Councillor. He further submits that co-accused Manju Devi, who has been named in the First Information Report, has been granted anticipatory bail by this Court, vide order passed in Criminal Misc. No. 61226 of 2018, on the basis of the fact that she has refunded the entire amount withdrawn by her in the account of Laxmi Devi.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record, nature of allegation and the fact that the FIR-named co-accused Manju Devi has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his



arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, West Champaran, at Bettiah, in connection with Inarwa Police Station Case No. 31 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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