

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76838 of 2019

Arising Out of PS. Case No.-46 Year-2018 Thana- BABUBARHI District- Madhubani

Lal Bihari Singh @ Sri Lal Lal Bihari Singh @ Sri Lal Bihari Singh Son of
Rajendra Singh Resident of Village - Selra, P.S.- Jainagar, Distt.- Madhubani
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party	:	Mr. Nirmal Kumar Sinha, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the parties.

The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 409, 419, 420, 467, 468/34 of the Indian Penal Code.

Informant is Superintendent of Post who in his written complaint has alleged that two postal employees Ram Prit Mahto and Basudev Ram who were posted as Deputy Postmaster and Assistant post-master in the post office, have instead of depositing the money in the government account, deposited the same in private account and thereby defalcated amount of Rs.38,91,079/-. They have also transferred matured amount in the account of one Shashi Kumar Singh and Rs.61,90,797/- has been recovered from the accused Ram Prit Mahto.

It has been submitted on behalf of the petitioner that the petitioner is not named in the FIR. Similarly situated co-accused Ram Prit Mahto and Aabha Kumari have already been granted bail by different co-ordinate Benches of this Court vide orders dated 8.5.2019 and 25.11.2019, passed in Cr.Mis.No.



26032/2019 & 73917/2019 respectively. Petitioner has no criminal antecedent.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within a period of six weeks from today, let the petitioner, mentioned above, 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 the Additional Chief Judicial Magistrate III, Madhubani in Babubarahi P.S. Case No.46 of 2018 , on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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