

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4326 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- KAHALGAON District- Bhagalpur

BRAHMDEO MANDAL S/o Late Dhokchu Mandal Resident of Jayatipur,
P.S.- Kahalgaon, Shiv Narayanpur, Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 09-07-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in connection with
Kahalgaon Shiv Narayanpur Thana Case No. 116 of 2019 for
the offence registered under Sections 406, 34 and 420 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in connection with the
present case. Petitioner is a retired person from Army. On
perusal of Annexure-2, it appears that the petitioner was
engaged by the Managing Committee and the certificate
proceeding should have been brought against the Managing
Committee. It is also submitted that the petitioner has filed the
reply in the Certificate Case No. 02/2018 and the report of the



District Auditor Officer (Annexure-3) has confirmed that there was no defalcation. Further it is submitted that petitioner has already deposited Rs. 95,783/- on 22.02.2019 and the petitioner alongwith other chairman has informed the Auditor with regard to removal of discrepancies, as contained in Annexure-4.

Having considered the above facts and circumstances of the case, let the petitioner, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing personal bail bonds to the satisfaction of 3rd Additional District and Sessions Judge-cum-Special SC/ST Act, Bhagalpur in connection with Kahalgaon Shiv Narayanpur Thana Case No. 116 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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