

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26664 of 2021**

Arising Out of PS. Case No.-390 Year-2017 Thana- GANDHIMAIDAN District- Patna

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NAGENDRA PRASAD SINGH @ NAGENDRA SINGH, Male, aged about 65 years, son of Late Jagdish Prasad Singh, Resident of village- Badwan, P.S- Nabinagar, Dist- Aurangabad.

... .. Petitioner

Versus

1. The State Of Bihar.
2. The Regional Manager, Bihar State Road Transport Corporation Patna, Bihar.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Giridhar Gopal Tiwary, Advocate
For the State	:	Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Gandhi Maidan P.S. Case No. 390 of 2017 for the offence registered under Sections 409, 201 and 120(B)/34 of the I.P.C.

The prosecution story, in brief, is that the petitioner and other co-accused persons defalcated government money of Rs. 2596/- who were employees in the Bihar State Road Transport Corporation, Bankipur, Patna.

It has been submitted by learned counsel for the petitioner that the petitioner has been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. It is further submitted that the petitioner is ready to deposit an



amount of Rs. 5,000/- (Rupees Five Thousand) only in the learned court below which shall be subject to final result of the case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner is directed to deposit an amount of Rs. 5,000/- (Rupees Five Thousand) only in the learned court below which shall be subject to final result of the case. On doing so, let the petitioner above named, in the event of arrest or 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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIV, Patna, in connection with Gandhi Maidan P.S. Case No. 390 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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