

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44384 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- HARPUR District- Munger

Nitish Kumar Son Of Sadanand Mandal Resident of Village - Bel Bihma,
P.S.- Harpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-11-2021 Heard both parties.

The petitioner seeks bail in Harpur P.S. Case No. 03 of 2021, registered for the offence punishable under Section 420 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner being ward sachiv came to the informant who is ward member with a cheque after filling of Rs. 30,000/- (Rs. Thirty thousand) for work of Nal Jal Yojana. Informant put signature on that cheque after taking photo of cheque by mobile and gave that cheque to the petitioner. It is alleged that petitioner withdrew Rs. 2,30,000/- (Rs Two lakh thirty thousand) after making forgery and thus, misappropriated government money.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. It is



impossible that one can overwrite on cheque and withdrew huge amount and the bank did not oppose the same. Petitioner has been falsely implicated by the informant and Mukhiya. In fact petitioner has filed complaint case no. 964C of 2020 dated 24.12.2020 in the Court of Chief Judicial Magistrate, Munger against Vijay Yadav, Mukhiya and Ranjana Devi (informant) for misusing the Nal Jal Yojna by not completing the scheme and in retaliation this case was lodged by the informant. Petitioner is in custody since 07.04.2021 having clean antecedent. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 learned Judicial Magistrate Ist Class, Munger in connection with Harpur P.S. Case No. 03 of 2021.

(Prabhat Kumar Singh, J)

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