

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.277 of 2021

Arising Out of PS. Case No.-221 Year-2020 Thana- UDAKISHUNGANJ District-
Madhepura

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1. PAWAN KUMAR@PAWAN KUMAR PODDAR S/o Shri Chhotalal Poddar Resident of Vill.- Karauti Bazaar, P.S.- Udakishanganj, District- Madhepura.
 2. Bhawesh Kumar S/o Ranjeet Thakur Resident of Vill.- Karauti Bazaar, P.S.- Udakishanganj, District- Madhepura.
 3. Alok Kumar S/o Shambhu Nath Jha @ Shambhu Jha Resident of Vill.- Karauti Bazaar, P.S.- Udakishanganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur- Advocate
For the Opposite Party/s : Mr. Zainul Abedin- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 21-09-2021 Heard Mr. Ajay Kumar Thakur, the learned Advocate

for the petitioners and Mr. Zainul Abedin, the learned APP for

the State.

The petitioners seek bail in anticipation of their arrest
in connection with Udakishanganj P. S. Case No.221 of 2020,
instituted for the offences under Sections 420, 406/ 34 of the
Indian Penal Code.

The accusation in the F.I.R. is that the amount
deposited by the informant in the C.S.P. Centre was fraudulently
withdrawn. The informant claims that she has deposited
Rs.57,000/- in all in her account but according to ledger of the



bank, it was found to have been withdrawn unauthorizedly.

The learned Advocate for the petitioners has submitted that the C.S.P. Centre is run by Sajjan Kumar, who is the brother of petitioner no.1. So far as the petitioner nos.2 and 3 are concerned, except for their being named in the F.I.R., there is no accusation against them. It has also been submitted that the case has been lodged against the petitioners and Sajjan Kumar because of political rivalry.

Be that as it may, the petitioner no.1 is ready to deposit any reasonable amount but under protest and subject to his rights and contentions later for the purpose of grant of anticipatory bail.

Since nothing specific has been alleged against the petitioner nos.2 and 3 and that they were released on provisional bail by an order of this Court dated 09.07.2021, their provisional bail is hereby confirmed. They shall be allowed to remain on the same bail bonds.

On the petitioner no.1 depositing an amount of Rs.30,000/- before the Court subject to his rights and contentions later and under protest, he, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing



bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Madhepura at Udakishanganj in connection with Udakishanganj P. S. Case No.221 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The Court below shall accept the draft of Rs.30,000/- (Rs. Thirty Thousand) from the petitioner no.1 before passing an order of bail in his favour. The aforesaid amount shall be deposited in any interest bearing scheme of any nationalized bank for a period of six months, which would be renewable for a further period of six months.

The application stands disposed of accordingly.

(Ashutosh Kumar, J)

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