

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80241 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- KARAHGAR District- Rohtas

RAJEEV KUMAR Son of Shree Shankar Ram Gond Resident of Village-
Chandi, P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Senior Advocate
Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 30-11-2021 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Kargahar P.S. (Sidi O.P.) Case No. 239/2018 registered for
the offences punishable under Sections 406/409/420/120(B)/34
of the Indian Penal Code.

At the very outset, Mr. N.K. Agrawal, learned Senior
Counsel, submits that the alleged defalcated amount of Rs.
4,30,900/- has already been deposited by the accused persons
which has come in the order dated 10.02.2020 passed by the
learned Sessions Judge, Rohtas in ABP No. 2273 of 2019
annexed with the supplementary affidavit. He further submits
that the petitioner was the informant of the case and



subsequently he has been made accused in the present case.
Petitioner is a government servant.

Considering the facts and circumstances, the present anticipatory bail application is allowed, subject to verification by the Court below that the entire amount of Rs. 4,30,900/- has been deposited.

If the petitioner surrenders and prays for bail, he shall be initially **granted provisional bail** and after proper verification about the deposit of amount, the same shall be confirmed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Kargahar P.S. Case No. 239/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

On verification, if it is found that the entire defalcated amount has not been deposited, the bail bonds of the petitioner shall be cancelled and he shall be taken into custody.

With the aforesaid observation and directions, the



present application is allowed.

(Sandeep Kumar, J)

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