

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12243 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- PIPRIYA District- Lakhisarai

Ganesh Prasad Singh, Son Of Late Umapati Prasad Singh Resident Of Village
- Piparia, P.S.- Piparia, Distt.- Lakhisarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 409
and 420 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that the petitioner was working as Post Master in Ram
Nagar Branch Post Office since 28.03.2003 and during course of
his posting at the said Post Office, he used to receive money
from the account holder of saving bank account, Sukanya
Samridhi Yojna and Rural Postal Life Insurance and the said
amount were shown in their account, but the said amount were
never deposited in the government account of Ram Nagar



Branch Post Office, as such, the petitioner misappropriated the government money to the tune of Rs.44,35,595/-. It is further alleged that the petitioner out of the defalcated amount, even returned an amount of Rs.19 Lacs, but still Rs.25,35,595/- with interest is due.

The learned counsel for the petitioner submits that the petitioner is a government servant. It is next submitted that he is going to retire in June, 2022. It is further submitted that though in the F.I.R., it is alleged that petitioner has returned Rs.19 Lacs, but the said recovery was made under duress. The learned counsel further submits that petitioner is being proceeded departmentally and in the event, if the petitioner is indicted in the departmental proceeding consequence would follow and in the event, if petitioner is exonerated in the departmental proceeding, then perhaps the criminal case will have no legs to stand.

The learned counsel thus submits that since the department is proceeding departmentally against the petitioner with respect to the same allegation as alleged in the present F.I.R., no useful purpose would be served by rejecting the anticipatory bail application.

Learned A.P.P. opposes the bail application.



Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Piparia P. S. Case No.89 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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