

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27829 of 2022**

Arising Out of PS. Case No.-769 Year-2021 Thana- MAHUA District- Vaishali

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MUNNA SARKAR SON OF UPENDRA RAM R/O VILLAGE- CHAKJI
NIZAM, P.S.- MAHUA, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-10-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 409, 420 of Indian Penal Code.

Allegedly, the informant was Panchayat Secretary of Gram Panchayat, Raj Fulwariya. For the development work the operation of the account was done with the signature of the informant and Mukhiya. Total Rs.9 lakhs was withdrawn through four cheques in the name of the co-accused Vishwajeet Kumar. On the said cheques there was forged signature of the informant and it bears the signature of Mukhiya Munna Sarkar. On 09.12.2021 the informant got knowledge about illegal



withdrawal of the said money, then he informed Canara Bank, Mahua.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The panchayat sachiv has sole responsibility to complete the development work of the gram panchayat. In para 29 of case diary, it has come that the bank officer has stated that the signature is not a forged one and after verification the said cheque was released in favor of the co-accused. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in Mahua P.S.
Case No.769 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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