

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43874 of 2021

Arising Out of PS. Case No.-460 Year-2019 Thana- LAXMIPUR District- Jamui

DIWAKAR KUMAR @ DIWAKAR KUMAR YADAV Son of Kaleshwar
Yadav Resident of Village - Singhiya, P.S.- Laxmipur, District - Jamui, (C.S.P,
Co-ordinator Bank of Baroda, Branch- Singhiya, Panchayat- Chinberiya,
Block- Laxmipur, Related with Bank of Baroda, Mahuli, Branch- Gidhour.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 420, 406, 409 of the IPC.

Allegedly, the petitioner is involved in defalcation of
Government amount, criminal breach of trust and teaching in
connection with the amount of S.B.M. and P.G.A.Y.

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. In the entire case diary, there is no any material against the petitioner. Specific allegation is against the co-accused Rakesh Kumar and Chandan Yadav, who have obtained the signature of the victim and opened her Bank account at C.S.P. Malyapur (Bank of Baroda, Jamui sale). Petitioner has no criminal antecedent and learned counsel for the petitioner submits that the petitioner is ready to pay Rs.9000/- to the victim.

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 connection with Laxmipur P.S. Case No.460/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



However, the bail bond of the petitioner shall be accepted by the learned Court below on producing the bank draft of Rs.9000.00/- (Rupees Nine Thousand) in favour of the O.P. No.2/victim and court below shall hand over the same to the victim after issuing her a notice.

(Anjani Kumar Sharan, J)

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