

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38161 of 2022

Arising Out of PS. Case No.-114 Year-2019 Thana- BAHADURGANJ District- Kishanganj

SUKHDEV PRASAD SINGH Son of Late Mohi Lal Singh Resident of
village - Bilashi, P.S. - Bahadurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 409, 467, 468, 469, 471, 201 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case, it is next submitted that the informant in the FIR alleges that the petitioner along with other members of the PACS misappropriated government money.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner in between 1999-2002 was the Manager of the PACS and in 2002 he became a government



servant as he qualified and got appointed as Assistant in the Office of Registrar Co-operative Society, Kishanganj in the year 2002 itself, it is next submitted that before demitting the office of the manager no due certificates were also submitted by the petitioner which was accepted by the authorities which amply demonstrates that till petitioner was the Manager of the PACS there was no dispute, it is next submitted that in between 2008-2011 an audit took place and based on the audit report it transpired that there was misappropriation of money as alleged in the FIR. The learned counsel for the petitioner next submits that thereafter the present FIR came to be instituted on 26.04.2020. It is thus submitted that petitioner was Manager of the PACS in between 1999-2002, thereafter audit took place in between 2008-2011 and nearly 8 years, thereafter the present FIR came to be instituted after the audit report and nearly 17 years after the petitioner had demitted his office. The learned counsel for the petitioner thus submits that there is an inordinate delay in instituting the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bahadurganj P.S. Case No. 114 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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