

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49747 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- PATNA CITY CHOWK District- Patna

GYANI IQBAL SINGH @ IQBAL SINGH S/o Late Sardar Sohan Singh (Ex. Jathedar) Resident of Takhat Sri Hari Mandir Ji, Patna Saheb, P.O. and P.S.- Chowk, District- Patna, Bihar

... .. Petitioner

Versus

1. The State of Bihar
2. Gyani Ranjeet Singh Jathedar of Takhat Sri Hari Mandir Ji, Patna Saheb, Resident of Takhat Sri Hari Mandir Ji, Patna Saheb, P.O. and P.S.- Chowk, District-Patna, Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vikas Ratan Bharti
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 18-07-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Chowk P.S. Case No. 94 of 2021, registered for the offences punishable under Sections 464, 468, 471, 406, 420/120(B) of the Indian Penal Code.

The informant Gyani Ranjeet Singh, Jathedar of Takhat Sri Hari Mandir Ji, Patna Saheb, made allegation that in 2012 the petitioner who was the then Jathedar demanded rupees five lacs. The informant gave him a blank cheque of ICICI Bank, Cheque No.



007078. The money was dedicated to Takhat Sri Hari Mandir Ji, Patna Saheb. The petitioner resigned from his post in the year 2019 and the informant succeeded the petitioner. During course of examination of the records he came to know that the petitioner instead of depositing the money in the account of Takhat Sri Hari Mandir Ji, Patna Saheb, he deposited it in his own account and misappropriated the money.

Learned counsel for the petitioner has submitted that the cheque was issued in the year 2012 and the FIR was lodged in 2021, after nine years of the occurrence. He has submitted further that the money given through cheque was not dedicated to Takhat Sri Hari Mandir Ji, Patna Saheb rather it was for publication of a book. Learned counsel for the petitioner has also submitted that the petitioner is former Jathedar and the informant is present Jathedar and there is so many litigation between them.

The case has been lodged after nine years. It has not been clarified in the FIR as to when the money was dedicated to Takhat Sri Hari Mandir Ji, Patna Saheb, why the cheque was not issued in favour of Takhat Sri Hari Mandir Ji, Patna Saheb and why a blank cheque was handed over to the petitioner by the informant.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Chowk P.S. Case No. 94 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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