

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42059 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- JOKIHAT District- Araria

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RAHNAWAZ @ MD RAHAWAJ ALAM Son of Late Taiyab Resident of
Village - Karhara, P.s.- Jokihat (Mahalgoan), Distt.- Arara.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2022 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 three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 406,
467, 468, 471 and 34 of the Indian Penal Code.

As per the F.I.R., the informant is a widow lady and
beneficiary of Widow pension scheme for which she has opened
her account in the S.B.I. through customer service provider to
the co-accused Hari Pandit in the year 2016 and Hari Pandit is
operator to the C.S.P. and informant for some time withdrew the



money from S.B.I. account through C.S.P. of co-accused Hari Pandit and subsequently he used to avoid the informant and kept the withdrawal amount illegality from the account of informant and other account holders for which a defalcation case was registered against co-accused Hari Pandit and his C.S.P. code get cancelled and allotted to petitioner Rahnawaz. It is alleged that total Rs. 14,200/- has been illegally withdrawn from the informant's account by playing fraud with informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 18.02.2022 passed in Cr. Misc. No. 31356 of 2021 on the condition that the co-accused is directed to deposit Rs. 14,200/- for the payment of the informant otherwise bail bond of the petitioner shall be cancelled. He submits that the co-accused Hari Pandit has deposited the said amount and his bail bond was also accepted by the learned Court below. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case



and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Jokihat (Mahalgoan) P.S. Case No. 22 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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