

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41042 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- UJIYARPUR District- Samastipur

Nand Kishor Das @ Nand Kishore Das Son Of Late Baidyanath Das Alias
Baidhnath Das Resident Of Village - Shivnagar, P.S. - Ujiarpur, District -
Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 07-02-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 120B, 406, 409, 419, 420 of the Indian Penal
Code.



The prosecution case as per F.I.R is that the informant is Ward Member whereas petitioner is Ward Secretary. It is alleged that two cheques of Rs. 70,000/- were issued in the joint signature of the informant and the petitioner but the petitioner fraudulently withdrew Rs. 4,70,000/- in favour of his agency Kishore Enterprises.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. The petitioner has no concern with Kishore Enterprises. Moreover, the withdrawal cheques bear the signature of the informant herself and as such, she cannot shift the responsibility upon any other person being Chairman of the Ward Implementation Committee. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four



weeks from today, be released on anticipatory bail on
furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned Sub-Divisional Judicial Magistrate,
Dalsingsarai, Samastipur in connection with Ujiarpur P.S.
Case No. 107 of 2020, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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