

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66674 of 2021

Arising Out of PS. Case No.-54 Year-2021 Thana- BAHERI District- Darbhanga

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SUSHIL KUMAR SINGH, aged about 61 years, Male, S/O Damodar Singh,
R/o village- Korigama, P.S.- Baheri, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjit Kumar Yadav, Advocate

For the Opposite Party : Mr. Kumar Veerendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and learned
counsel for the State through Virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in
connection with Baheri P.S. Case No. 54 of 2021 for the offence
registered under Sections 409 and 420/34 of the I.P.C.

The prosecution story, in brief, is that in the village-
Nimathi, the petitioner in the year 2020-21 withdrew Rs.
80,000/- from the '*Pradhan Mantri Awas Yojna*' by illegal bank
passbook forgery process which was allotted in the name of



some other person.

It has been submitted by learned counsel for the petitioner that the petitioner has been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. As per allegation, Rs. 80,000/- had come in the bank account of the petitioner relating to '*Pradhan Mantri Awas Yojna*'. It has been submitted that due to mistake the amount in question was transferred in the petitioner's bank account. It has further been submitted that vide Annexure-2 to the present application, the amount in question has already been deposited in the *Nazarat*. No wrongful gain has been caused to the petitioner nor there is any wrongful loss caused to the State due to the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 A.C.J.M.-III, Darbhanga, in connection with Baheri



P.S. Case No. 54 of 2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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