

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69702 of 2021

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

1. ABHISHEK KUMAR SINGH @ ABHISHEK KUMARAND Son of Rajnish Kumar Singh Resident of Village - Lagma, P.s.- Singhiya, Distt.- Samastipur.
2. Raman Kumar Rathour Son of Devendra Prasad Singh Resident of Village - Korigama, P.S.- Baheri, Distt.- Darbhanga.
3. Siya Devi W/o Late Jugeshwar Singh Resident of Village - Korigama, P.S.- Baheri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

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

Learned counsel for the petitioner submits that inadvertently due to typographical error, the P.S. case number has wrongly been mentioned in the prayer portion of the petitioner as Baheri P.S. Case No. 54/2011 in place of Baheri P.S. Case No. 54/2021 though it has been correctly mentioned in paragraph 1 of the application.



Let the words “Baheri P.S. Case No. 54/2011” mentioned in prayer portion of the application be corrected to be read as “Baheri P.S. Case No. 54/2021”.

The petitioners are apprehending their arrest in a case registered under Sections 409, 420 and 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons illegally transferred the fund meant for a government scheme.

It has been submitted on behalf of the petitioner nos. 2 and 3 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. Due to inadvertent mistake, the money in respect of Pradhan Mantri Awas Yojna was credited in the account of the petitioner but subsequently when they came to know, the said money had already been returned to the treasury vide Annexure-2 series to the present application. Neither any wrongful gain has occurred to petitioner nor any wrongful loss has been caused to the State by the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.



Considering the aforesaid facts and circumstances,
let the petitioners, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the
like amount each to the satisfaction of learned A.C.J.M.- III,
Darbhanga in connection with Baheri P.S. Case No. 54/2021,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

