

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14572 of 2023

Arising Out of PS. Case No.-291 Year-2022 Thana- AMARPUR District- Banka

1. Ujjwal Kumar Son Of Ramanand Poddar Resident Of Village - Amarpur Ward No.- 07, P.S.- Amarpur, Dist.- Banka.
2. Asha Devi Wife Of Ramanand Poddar Resident Of Village - Amarpur Ward No.- 07, P.S.- Amarpur, Dist.- Banka.
3. Ravindra Ravindra Poddar @ Domi Poddar Son Of Late Jagdish Poddar Resident Of Village - Amarpur Ward No.- 07, P.S.- Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-05-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioners are named in the F.I.R. and apprehend their arrest in connection with Amarpur P.S. Case No. 291 of 2022 registered for the offences punishable under Sections 406, 468, 471, 420, 34 of the Indian Penal Code (in short 'I.P.C.').

The allegation against these petitioners is to misappropriate an amount of Rs. 8,00,000/- (Rupees Eight Lac) alongwith other co-accused persons from the CSP (Customer



Service Portal) centre of petitioner which runs with local S.B.I.

Learned counsel appearing on behalf of the petitioners submitted that petitioners falsely implicated with present case out of local politics. It is submitted that allegation as raised out through complaint is not satisfying the ingredients of Section 406 of the I.P.C. and other related sections of forgery. It is submitted that occurrence took place between 18th of January 2022 to 31st of March 2022 as alleged through complaint petition which is basis of present F.I.R. but said complaint was lodged only on 18.04.2022, which only suggests false implication being afterthought. It is pointed out that no cash or any incriminating material recovered from the possession of these petitioners, which may connect them with present allegation. It is also pointed out that petitioners are relative of informant and from the perusal of entire narration of the complaint petition, it appears that save and except suspicion nothing surfaced against these petitioners, where petitioner no. 2 is the wife of petitioner no. 1. While concluding the argument it is submitted that petitioners are men of clean antecedent.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances and by taking note of nature of allegation, which is appearing very



much general and omnibus, arises out of suspicion as it appears from the narration of the F.I.R. itself, accordingly, all three above named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks of this order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka/concerned Court, where the case is pending in connection with Amarpur P.S. Case No. 291 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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