

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38256 of 2023

Arising Out of PS. Case No.-505 Year-2022 Thana- BUXAR District- Buxar

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MUKESH KUMAR SINGH Son of Verma Prasad Singh Village- Ghatarain
Madanpur Dist- Aurangabad at present Govt. Colony Buxar Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhash

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Buxar (Town) P.S. Case No.505 of 2022, registered for the offence punishable under Sections 420, 409, 467, 468, 471, 472, 34 of the Indian Penal Code, pending in the Court of learned C.J.M., Buxar.

3. Allegedly, the petitioner, the then cashier has made payment of Rs.13,50,225/- instead of Rs.1,35,025/- to one Shashi Devi through bank advice by R.T.G.S, as compensation amount of her land. Due to such deceitful act of the petitioner and other co-accused, caused loss of Rs.12,15,230/- to Government exchequer. At first, it was said to be a clerical mistake from the part of the petitioner but later on the informant



got information that the said payment was made in connivance of all the accused persons including the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case on the basis of suspicion. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. There is a delay of six years in lodging the FIR. The petitioner has no role in the present case as the cheque was signed by the present D.L.A.O. and transferred through R.T.G.S. in the account of Shashi Devi. Due to mistake, Rs.13,50,255/- has been sent inadvertently to Shashi Sevi in place of Rs.1,35,025/-. Petitioner had to pay Rs.20 crore money in one day and due to such pressure extra money has been transferred to Shashi Devi. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner and also the witnesses have supported the prosecution case.

6. Having regard to the facts and circumstances of the case as well as considering the nature of allegation and also



considering that the witnesses have supported the present case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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