

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41009 of 2023

Arising Out of PS. Case No.-254 Year-2011 Thana- BETTIAH CITY District- West
Champaran

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Mukesh Kumar, Son of Devendra Ray Resident of Village - Yusufpur, P.S.-
Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-07-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Bettiah Town P. S. Case No. 254 of 2011 registered on
01.06.2011 for the offences punishable under Sections 406 and
420/34 of the Indian Penal Code.

3. According to the prosecution, the petitioner was the
agent of the concerned center at the time of inspection by the
informant, and in the course of the inspection, defalcation of
₹1,87,999/-has been found to be made by the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is ready to deposit the alleged amount. He further submits that the antecedent of the petitioner is clean. He further submits that co-accused Raj Kumar and Pankaj Kumar have been granted bail by different co-ordinate Benches of this Court vide orders dated 29.07.2013 and 02.03.2015 passed in Criminal Miscellaneous No. 8291 of 2015 and Criminal Miscellaneous No. 8291 of 2015 respectively. Co-accused Raj Kumar has been granted bail on the undertaking that he was ready to deposit the defalcated amount.

5. Learned APP for the State opposes the prayer for bail.

6. In the aforesaid facts and circumstances and particularly in view of the undertaking of the petitioner that he is ready to deposit the alleged amount, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran at Bettiah in connection with Bettiah Town P.S. Case No. 254 of 2011, subject to the conditions that the petitioner will produce a proof with regard to deposit of ₹1,87,999/- and any withdrawal will



be subject to the result of the case as well as subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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