

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42871 of 2023

Arising Out of PS. Case No.-229 Year-2021 Thana- PIRBAHOR District- Patna

BRAHM DEO RAI son of Ram Janam Singh Main Road Dujra Near Dujra
Devi Sthan Ps- Budha Colony town Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shantanu Kumar, Adv.
For the Opposite Party/s :	Mr.Khurshid Anwar, APP.
	Mr. Majid Mahboob Khan, Adv.
	Mr. Mukund Kumar, Adv.
	Mr. Rashid Zafar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-10-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 447 of the Indian Penal Code.

3. As per the prosecution case, there are allegations against all the accused persons including this petitioner that in connivance of three staffs of Bihar Awami Co-operative Bank Ltd., they prepared forged LIC papers and other documents and took loan from the Bank and thereby misappropriated Rs. 16,46,99,376/-.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



Petitioner is posted in P.M.C.H. and working as Driver. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that petitioner was sanctioned loan of Rs. 5,60,000/- for repair of his house and his house has been kept in Equitable Mortgage of the Bank. He further submits that he has refunded Rs. 1,25,000/- of loan amount and now, he is ready to return the rest principal amount within two months. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as petitioner is ready to pay the rest principal amount to the informant side within two months, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with



Pirbahore P.S. Case No. 229 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. If the petitioner fails to return the rest of the principal amount to the informant, the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

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