

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49721 of 2022

Arising Out of PS. Case No.-71 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

TUNTUN SINGH S/o Munji Singh Resident of Kherikonk, P.O. Tar, P.S.-
Agiaon Bazar, District- Bhojpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45442 of 2022

Arising Out of PS. Case No.-71 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

MUNJI SINGH Son of Late Sheo Payari Singh Resident of - Kherikon, P.O.-
Tar, P.S.- Agiaon Bazar, District - Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49721 of 2022)

For the Petitioner/s : Mr. Vikramdeo Singh
Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Umeshanand Pandit

(In CRIMINAL MISCELLANEOUS No. 45442 of 2022)

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 21-07-2023 Since both the anticipatory bail petitions arise out of

the same PS case, they have been heard together and are being

disposed of by this common order.

2. Heard learned counsel for the petitioners and the

State.

3. Petitioners apprehend their arrest in a case



registered for the offence punishable under Section 420, 467.
468/34 of the Indian Penal Code.

4. As per the prosecution case, these petitioners committed defalcation of Rs. 60,000,00/- by showing forged purchase of milk.

5. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that from bare perusal of the FIR it is apparent that so called embezzlement of money is of the year 2014 but the FIR has been lodged in the year 2019 after inordinate delay of more than four years without any explanation. It is next submitted that allegation against the petitioner is that they defalcated an amount of Rs. 60 lacs but in the FIR itself it is stated that petitioners got Rs. 41,01,154/- during the working days 15 months and five days of the said committee. The petitioners have registers regarding sale and purchase of milk from the farmers and payment of money and allegation leveled against them that they did not provide the registers before the enquiry committee is false. Petitioners have got clean antecedent.

6. Learned counsel appearing for the State opposes the prayer for anticipatory bail.



7. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur, Ara in connection with Agiaon Bazar PS case No. 71/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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