

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69569 of 2023

Arising Out of PS. Case No.-1315 Year-2011 Thana- PURNIA COMPLAINT CASE District-
Purnia

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RAJ KISHORE PRASAD Son of Chhatu Prasad R/o Kaushalya Niwas
Behind MBBL Inter College Bairea Kolhua, Paigamberpur, P.S. - Ahiyapur,
Distt. - Muzaffarpur,

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachindra Kumar Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Purnea Sadar P.S. Case No. 221 of 2007, C.A. Case No.
1315 of 2011 (G.R. No. 1390 of 2007) dated 17.06.2007
registered for the offence(s) punishable under Section(s) 420,
467, 468, 120B of the Indian Penal Code.
3. The main submissions advanced by learned counsel
for the petitioner are that as per FIR, the main allegation is
against co-accused Gulab Sethiya, who allegedly removed the
alleged cheque of the informant from his cupboard and
thereafter as per allegation, the co-accused got the said cheque
encashed at Gulabbagh Branch of Allahabad Bank where the



petitioner was posted as Branch Manager at the time of commission of the alleged occurrence but the petitioner discharged his official duty bonafidely and he had no knowledge about the alleged wrong and he and co-accused Mithlesh Bharti @ Mithlesh Kumar who was also an employee in the said bank at the time of alleged occurrence have been made accused by the informant mainly on the basis of suspicion and the said co-accused, Mithlesh Bharti has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 70415 of 2023 and the petitioner's case stands on similar footing with him. Further submission is that after the investigation, the police did not send up the petitioner for trial but the learned court below took cognizance of the alleged offences against this petitioner and summoned him for the alleged offences. Further submission is that the petitioner has superannuated from his service.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and the nature of allegation appearing against this petitioner, this court is inclined to accept his anticipatory bail prayer. Accordingly, let the petitioner named-above, in the event of his arrest/surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Purnea Sadar P.S. Case No. 221 of 2007, C.A. Case No. 1315 of 2011 (G.R. No. 1390 of 2007) on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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