

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65768 of 2023

Arising Out of PS. Case No.-663 Year-2023 Thana- NAWADA District- Nawada

PRASHANT KUMAR S/o- PANKAJ MISHRA Village- Anti Po- Qadirganj
Ps- Nawada Dist- nawada Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Town P.S. Case No. 663 of 2023 registered for the offences punishable under Sections 420, 406, 381, 467, 468, 471 and 34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, petitioner along with other co-accused persons, who were staff in the cloth shop of the informant, is alleged to have committed fraud and misappropriated Rs. 35-40 lacs of the informant by maintaining wrong bills in the computer by showing less payments in the bills.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation against this petitioner. He has also left working in the said shop in the month of October, 2022 and is not in any way associated with any of the accused persons. It is further submitted that co-accused Diyush Raj @ Rahul and Sandeep Kumar have been granted privilege of anticipatory bail by learned co-ordinate Benches of this Court in Cr. Misc. No. 44595 of 2023 and Cr. Misc. No. 64295 of 2023 respectively.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case, the nature of the allegation, the submission that the petitioner had already left working in the shop in question in the month of October, 2022 and he was not associated with the billing work, the co-accused Diyush Raj @ Rahul and Sandeep Kumar have been granted privilege of anticipatory bail by learned co-ordinate Benches of this Court in Cr. Misc. No. 44595 of 2023 and Cr. Misc. No. 64295 of 2023 respectively, the petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be



released on bail in connection with Town P.S. Case No. 663 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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