

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66342 of 2022

Arising Out of PS. Case No.-293 Year-2017 Thana- ISLAMPUR District- Nalanda

AJAY KUMAR Son of Late Siya Saran Das R/V- Ahiyapur, P.S- Noorsarai,
Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India Govt. of India

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dipak Kumar, Adv.
For the UOI	:	None
For the State	:	Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 27-03-2023 Heard, learned counsel for the petitioner and learned APP
for the State.

However, nobody appears on behalf of the Union of India though a copy of the petition was served to the counsel for Union of India and the name is also appearing in the cause-list.

Petitioner apprehends his arrest in a case registered for the offence punishable u/s 409/420/34 of the IPC.

As per the prosecution case, the petitioner while working on the post of Postal Assistant/Sub Postmaster from the period 12.07.2013 to 13.05.2017, in collusion with one Vinod Kumar and others is said to have defalcated the Government money to the tune of Rs.14,86,226/-.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that a departmental proceeding was initiated against the petitioner and he was initially suspended, thereafter his suspension was revoked. Then, he was dismissed from the service, for which he has filed appeal before the Appellate Authority. It is further submitted that petitioner has no authority to deposit or receive any amount as he was not working as an SPM for the period and he has been made an scapegoat. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, 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 Islampur P.S. Case No.293 of 2017, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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