

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73443 of 2023

Arising Out of PS. Case No.-183 Year-2023 Thana- RAGHOPUR District- Vaishali

Abhishek Kumar Son Of Vimal Prasad @ Bilam Prasad @ Vinod Prasad
Resident Of Village East Lohanipur, J.P.S. Lane, P.S. - Kadamkuan, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmatma Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-11-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Raghopur P.S. Case No. 183 of 2023 dated

02.08.2023 registered for the offences punishable under

Sections 406, 409 and 420 read with 34 of the Indian Penal

Code.

4. As per the prosecution case, Rs. 27,70,000/- was

illegally withdrawn without the consent of 30 Jeevika Samooh

from their loan account by petitioner and the co-accused persons



and after lapse of one year the loan amount was paid on different dates outside of the bank campus to the concerned Jeevika Samooh. On 12.01.2021 the subsidy amount of Rs. 3,36,000/- from a loan account and the amount deposited by an account holder was transferred in the Bank's business Correspondent Deen Dayal Rai's account by the accused persons. Further, on 07.04.2021 the accused persons withdrew some amount and deposited in another. The accused persons committed criminal breach of trust of Rs. 31,27,795.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has submitted that the petitioner has neither cheated anyone nor misappropriated the money and further submitted that it is a case of mismanagement of money. There is a delay in lodging the F.I.R. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 183 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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