

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73321 of 2022

Arising Out of PS. Case No.-1120 Year-2019 Thana- NAGAR District- Vaishali

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MUKESH KUMAR @ MUKESH DAS S/o Bigan Das R/v- Jahangirpur
Salkhani, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar, Advocate
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP
For Informant	:	Mr.Ambar Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and learned APP for the State as also the learned counsel for the informant.

This is an application for grant of anticipatory bail in connection with Hajipur Town P.S. Case No.1120 of 2019, registered for offences under Sections 406, 467, 468, 471/34 of the IPC.

The allegation is regarding the co-accused persons, namely, Rahul Kumar Rai, fraudulently and dishonestly hatching a conspiracy and in the process taking out the membership receipts of the PACS in question from the Vaishali District Central Co-operative Bank, Hajipur and



then preparing new members list of the PACS in question for election purpose. The petitioner is alleged to be the Branch Manager of the said Bank in question.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a fair antecedent. The learned counsel for the petitioner has submitted that as far as the petitioner is concerned, he has not been alleged to have taken out the membership receipts. Moreover, the co-accused person, namely, Rahul Kumar Rai has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 21.06.2022 passed in Criminal Miscellaneous No.43491 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case as also taking into consideration the materials available on record as also taking into account the fact that no specific



allegation of misfeasance has been levelled against the petitioner herein apart from the fact that similarly situated co-accused person has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No.1120 of 2019, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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