

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73838 of 2022

Arising Out of PS. Case No.-133 Year-2019 Thana- BHEJA District- Madhubani

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PRAKASH SINGH S/o Harendra Narayan Singh R/o Village- Diaya
Kharwar, P.S.- Lakhnaur, Distt- Madhubani (Bihar)-847408.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Jha, Advocate

Mr. Mohan Prasad, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 406, 420, 34 of the
Indian Penal Code.

As per the prosecution case, informant alleged that he
is a ward member of Gram Panchayat Raj, Parwalpur under
ward no. 2 and he had issued 2 cheques of Rs. 16,95,000/- in
connection with supply of materials for implementation of Nal
Jal Yojana Scheme to the proprietor of a firm situated at Delhi
and despite of that, the firm did not supply the materials which
was ordered even after many reminders. It is further alleged that
the petitioner is an agent of aforesaid alleged firm and he along



with its owner misappropriated the amount.

Learned counsel for the petitioner submits that the cheques were issued in the name of co-accused Gaurav Kumar, proprietor of the firm. Not a single penny has been paid to this petitioner. Petitioner is neither partner nor agent of the firm.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of District and Session Court, Madhubani at C. C. Jhanjharpur in Bheja P. S. Case No. 133 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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