

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1815 of 2023

Arising Out of PS. Case No.-390 Year-2020 Thana- JOGAPATTI District- West Champaran

NAWAL KUMAR @ NAWAL YADAV@ NAWAL KUMAR YADAV Son of
Chhathu Yadav Resident of Village- Dudhiyawa, Harijan Toli, P.S.- Yogapatti
(Nawalpur), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Yogapatti Nawalpur P.S. Case No. 390 of 2020 (arising out of C-627C/20) registered for the offence punishable under Sections 406, 420, 323, 324, 467, 468 of the Indian Penal Code.

The allegation is regarding the petitioner having withdrawn a sum of Rs. 1, 95,000/- from the account opened in the joint name of the informant and the petitioner at Uttar Bihar Gramin Bank, Nawalpur, for the purposes of deposit of Nal Jal Yojna money, by forging the signature of the informant.

The learned counsel for the petitioner submits that the



petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is ready to deposit the aforesaid sum of Rs. 1,95,000/- with the nazarat of the learned Civil Court, West Champaran at Bettiah, for the purposes of grant of anticipatory bail, however, the same be made subject to the final outcome of the main case.

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, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the petitioner is ready to deposit the misappropriated amount of Rs. 1,95,000/-, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, subject to deposit of the aforesaid sum of Rs. 1,95,000/- with the nazarat of the learned Civil Court, West Champaran at Bettiah, within a period of six weeks from today.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the Ld. court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned CJM, West Champaran at Bettiah in connection with Yogapatti Nawalpur P.S.Case No. 390 of 2020 (arising out of Complaint Case No. 627C/2020), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the petitioner producing receipt of deposit of the amount in question, as aforesaid.

It is needless to state that the aforesaid deposit of a sum of Rs. 1,95,000/- shall be subject to the final outcome of the criminal case in question.

(Mohit Kumar Shah, J)

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