

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15715 of 2024

Arising Out of PS. Case No.-104 Year-2022 Thana- BALIYA District- Begusarai

Deepak Kumar Son of Devendra Mahto R/o Villagee- Barbighi, Begusarai, at present Patparganj, Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Rashmi, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 14-03-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 420, 120(B)/34 of the Indian Penal Code.
3. It is alleged that this petitioner misappropriated amount of Rs. 5,62,500/-.
4. Learned counsel for the petitioner submits that from bare perusal of the F.I.R. it is apparent that the informant got transferred the money from petitioner to one of his associates on different dates and when the police put the account of the informant on hold, then in order to save the skin, the informant lodged this false and concocted case against the petitioner. The informant has stated that when he checked his



account status, he found that the petitioner had deposited all the money in his account through cheque as well as NEFT, and the account holder of that cheque is one Mamta Singh, it means that Mamta Singh was fully aware of all his transactions as the cheques were duly signed by her and as such, there is no question of cheating. He further submits that the money withdrawn from the account of Mamta Singh has already been deposited in her account on 18.04.2022 *vide* cheque No. 733422. Petitioner claims clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Sub-Judge-Additional Chief Judicial Magistrate, Ballia, Begusarai in connection with Ballia P. S. Case No. 104 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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