

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41769 of 2024

Arising Out of PS. Case No.-8 Year-2017 Thana- DIGHALBANK District- Kishanganj

Rahul Harshawardhan @ Rahul Kumar @ Rahul Harshwardhan S/O Kripa
Nandan Prasad R/O Ambastha, AT/P.O. Agwanpur, Bahrawan, P.S. Barh,
Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, Advocate
For the State : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471, 472 and 34 of the Indian Penal Code.

3. As per prosecution case, informant had received a sum of Rs. 50,000/- under the *Indira Awas Yojana* and subsequently, informant came to know that all the accused persons, including this petitioner, have fraudulently withdrawn a sum of Rs. 49,000/- from bank account of the informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. As a matter of fact, at the relevant time, petitioner was Cashier in the bank. It is further submitted



that the alleged occurrence is said to have taken place on 11.07.2014, however, F.I.R. has been lodged after delay of two and half year, i.e. on 06.02.2017, without any plausible explanation for the same. Moreover, similarly situated co-accused, namely *Francis Vinay Hansda*, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 28.04.2023 passed in *Cr. Misc. No. 12108 of 2023*. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate, Kishanganj, in connection with Dighal Bank P.S. Case No. 8 of 2017, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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