

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69925 of 2023

Arising Out of PS. Case No.-609 Year-2023 Thana- FORBESGANJ District- Araria

Sandeep Paswan son of Sadanand Paswan Village- Madhura South W.No-5,
Ps- Narpatganj Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Himansu Shekhar, Assistant Electric Engineer Electric Supply Sub-Div.,
Forbesganj, Dist.- Araria Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP
For O.P. No. 2	:	Mr. A.K. Ojha, Advocate
	:	Mr. A.K. Karna, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-02-2024 1. Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

2. The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Forbesganj P.S. Case
No. 609 of 2023 registered for the offences punishable under
Sections 406 and 420 of the Indian Penal Code.

3. The allegation against the petitioner is to not
deposit collected amount of Rs. 76,920/- to cashier of M/s.
North Bihar Power Distribution Company Ltd. and as such
committed offence punishable under Section 406 and 420 of the
IPC, where total claim amount is Rs. 1,75,512/- including



principal amount of Rs. 76,920/-.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case as he deposited both receipt and cash to the cashier appointed by the company. It is submitted that cashier namely Rajendra Paswan, already deposited differential amount. It is further submitted that present FIR was lodged after six years in planned and formulated manner. While concluding the argument it is submitted that petitioner is a man of clean antecedent and as a good gesture he is ready to deposit principal amount of Rs. 76,920/- with company at the time of furnishing bail bond.

5. Learned APP duly assisted by learned counsel appearing on behalf of M/s. North Bihar Power Distribution Company Ltd., while opposing the prayer for bail submitted that company may accept the principal amount of Rs. 76,920/- for the present.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact as petitioner is ready to pay principal amount of Rs. 76,920/- , accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is



directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria/concerned Court below where the case is pending in connection with Forbesganj P.S. Case No. 609 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions :-

(i) Learned Trial Court shall accept bail bond only if petitioner shows receipt of deposited principal amount of Rs. 76,920/- to O.P. No.2.

(Chandra Shekhar Jha, J.)

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