

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80059 of 2023

Arising Out of PS. Case No.-1431 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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BRAHMDEO MANDAL S/O DHOKCHU @ DHEKCHU MANDAL
VILLAGE- JAIPUR, P.O RAMPUR, PS. SHIV NARAYANPUR,
BHAGALPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. HARAK LAL MANDAL S/O LATE BHUSO MANDAL R/O-
JAYATIPUR, RAMPUR, SHIV NARAYANPUR, BHAGALPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar , Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and

the State.

2. Petitioner apprehends arrest in a case

registered for the offence punishable under section 420

of the Indian Penal code .

3. As per the complaint, it is alleged that on the

inducement of this petitioner, complainant deposited

total of Rs. 75000/- in the account of Jayatipur PACS

and when the complainant demanded his money back ,

petitioner refused to do so .



4. It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case due to village politics. Petitioner is simply working as a chashier in Jaitipur PACS, Kahalgaon. He is neither the manager nor the president of the aforesaid Jaitipur PACS. He further submits that Jaitipur PACS has accounts in three banks, i.e., S.B.I. Shivnarayanpur Branch, Bank of India, Kahalgaon Branch, and Co-operative Bank, Kahalgaon Branch. In this case of withdrawal and deposit of money, the signatures of the PACS Manager and PACS President are jointly required. Petitioner has got no concern with the alleged occurrence . The petitioner is an old man, about 73 years old.

5. Learned counsel for the State vehemently opposes the prayer for bail and submits that from a bare perusal of the impugned order, it is apparent that the Block Co-operative Officer has appeared before the Court below and has stated that this petitioner was the cashier in the aforesaid PACS, and from the ledger and other documents, it is apparent that the petitioner has



taken money from the complainant and the same has entered the ledger, but whether it was deposited in the bank account or not remains doubtful. The petitioner has also not clarified before the Court whether the money was deposited in the bank or not. The petitioner has one criminal antecedent of a similar nature .

6. Considering the nature of accusation and also the fact that petitioner has got one criminal antecedent of similar nature , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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