

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85643 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- DHAMDAHA District- Purnia

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Amit kumar poddar S/O Late Ram Swaroop Poddar Resident Of Marangi, Ps.
Mansahi, Dist. Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-04-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Dhamdaha P.S. Case No. 175 of 2023 instituted for the offence
under Sections 420, 406 of the Indian Penal Code.

3. Prosecution case in short is that petitioner has
embezzled an amount to the tune of Rs. 1,26,652/- after
collecting the same from Amari Kukron, Dhamdaha (North)
Sonapur, Khanma.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 01-09-2023. Petitioner is a
man of clean antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that due to demand of illegal choice of the informant, the petitioner has been dragged in this case with false allegation. It is also submitted that there is delay of two days in lodging of the FIR. It is further submitted that there is no evidence of collection amount of Rs. 1,26,652/- is available on record and as such no case u/S 420 and 406 of the IPC is made out against the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhamdaha P.S.



Case No. 175 of 2023.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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