

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19024 of 2015

Arising Out of PS.Case No. -182 Year- 2013 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

1. Rajeshwar Prasad son of Late Bibhishan Ram, resident of village-
Bhagirathi Lane , Mahendru, Police Station- Sultanganj in the district of
Patna , presently posted as Dy. Collector Land Reforms , Sheikhpura in the
district of Sheikhpura.

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma
For the Opposite Party/s : Mr. Dilip Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Dhaka P.S. Case No. 182 of 2013 registered for the offence
punishable under Section 409 of the Indian Penal Code.

According to prosecution case, petitioner was posted
as Executive Officer, Nagar Panchayat, Dhaka from 05.03.2013 to
05.07.2013 and between the aforesaid period, huge amount was
withdrawn for which the present case was lodged against the then
Nazir of aforesaid Nagar Panchayat, Dhaka. The then Nazir, the
F.I.R. named accused, has already been granted privilege of

anticipatory bail by a co-ordinate bench of this Court vide order dated 27.08.2014 passed in Cr. Misc. No. 7535 of 2014 taking note of this fact that proper accounting of the so-called defalcated amount had already been submitted by the F.I.R. named accused, the then Nazir.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sikarahana at Motihari in Dhaka P.S. Case No. 182 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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