

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4662 of 2015

Arising Out of PS.Case No. -272 Year- 2014 Thana -BRAHMPUR District- BUXAR

=====

Manoj Kumar Son of Late Sriram Prasad Resident of Village + P.O-
Sowan, P.S- Krishnabrahm, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Upadhyay

For the Opposite Party/s : Mr. Shailendra Kr. 2(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 27-05-2015 Heard the Counsel for the petitioner and the APP for
the State.

Petitioner, being the erstwhile Mukhiya of Sown Gram Panchayat, seeks anticipatory bail in Brahmpur (Krishnabrahm) P.S. Case No. 272 of 2014 instituted under Sections 406, 409 and 420 of the Indian Penal Code. Precisely, the allegation is that during the period 2007-08 to 2008-09, solar lamps of inferior quality were purchased by the petitioner causing financial loss to the government. The Block Statistical Supervisor became the informant.

Contention of the petitioner is that the BREDAs were notified by the Government for purchase of solar light subsequently. Earlier to this, the Panchayat was free to purchase solar light from open market. It is further submitted that several

co-accuseds having identical/similar allegation have been privileged with anticipatory bail.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory 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, Buxar in Brahmpur (Krishnabrahm) P.S. Case No. 272 of 2014 (G.R. No. 2747 of 2014) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--