

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4294 of 2015

Arising Out of PS.Case No. -1 Year- 2014 Thana -DESARI District- VAISHALI(HAJIPUR)

Shiv Shankar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s Mr. Nityanand Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 02.02.2015 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Desari
P. S. case no. 1/2014 registered under sections 406,409, 420/34 of the
IPC.

Petitioner was assistant clerk at the relevant time and the
accusation against him is that he along with BDO misappropriated
government money.

The contention on behalf of the petitioner is that for similar
occurrence Desari P. S. case no. 1/2012 was registered and in the
aforesaid case, petitioner was granted privilege of bail by a coordinate
bench of this court vide order dated 10.12.2012 passed in Cr. Misc.
no. 39403/2012 and it is further pointed out by him that having more
or less similar allegation co-accused Smt Pratima Gupta @ Kumari
Pratima Gupta who was BDO at the relevant time has already been
admitted to privilege of anticipatory bail by a coordinate bench of this

court vide order dated 16.05.2014 passed in Cr. Misc. no. 13390/2014.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in Desari P. S. case no. 1/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

shahid

(Hemant Kumar Srivastava,J)

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