

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48718 of 2014

Arising Out of PS.Case No. -99 Year- 2014 Thana -BHORE District- GOPALGANJ

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1. Anil Ram Son of Shri Kaishal Ram Resident of village - Chhattiao, P.O. Dubey Jinghna, P.S. Bhore, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This is an application seeking anticipatory bail in a case registered for the offences punishable under Sections 409 and 406 of the Indian Penal Code.

The petitioner is the Mukhiya of Gram Panchayat Raj Chhattiao. It is alleged that for execution of MANAREGA scheme, in order to misappropriate Government money he was using JCB Machine and tractor for earth work.

Learned counsel for the petitioner appears to be right in his submission while referring to the First Information Report that no offence under Section 409 of the Indian Penal Code is made out on the basis of allegation contained therein. From the First

Information Report it appears that the informant as Project Officer has merely raised an apprehension that the petitioner might be using the said JCB Machine for the purpose of misappropriating the government money.

In view of the submission as above, let petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Gaopalganj in Bhore P.S. Case No. 99 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

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