

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54455 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -ATRI District- GAYA

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Devanand Prasad @ Devanand Son of Late Ambika Prasad, Post Master at
Maula Nagar, Police Station- Atari, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Opposite Party/s : Mr. R.S. Chaudhary (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 01-12-2015

Heard learned counsels for the petitioner
and the State.

The petitioner being the Sub-Postmaster is
apprehending his arrest in a case registered for the offences
punishable under Sections 409 and 420/34 of the Indian Penal
Code.

The prosecution case is that as per the FIR
lodged by Programme Officer, Atri to the effect that the
petitioner in collusion with Panchayat Mukhiya and Rojgar
Sewak allowed withdrawal of the wages of the labourers under
the MANREGA scheme. The job cards were prepared on the

forged signatures of the labourers.

It is submitted by learned counsel for the petitioner that thrust of accusation is against the Panchayat Mukhiya and Rojgar Sewak. The Panchayat Mukhiya has been granted anticipatory bail vide Cr. Misc. No. 48957 of 2015 and with similar accusation another FIR being Atri P.S. Case No. 100 of 2013 was lodged wherein the petitioner has been granted anticipatory bail vide Cr. Misc. No. 12753 of 2015. The money was alleged to be withdrawn on the signatures of Panchayat Mukhiya and Rojgar Sewak.

Considering the fact that Panchayat Mukhiya has been granted anticipatory bail, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya in connection with Atri P.S. Case No. 119 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing affidavit to the

effect that he will regularly co-operate in the investigation. The non-cooperation in investigation will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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