

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5443 of 2015

Arising Out of PS.Case No. -30 Year- 2010 Thana -SIWAN CITY District- SIWAN

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1. Irshad Ahmad Son of Late Khalil Ahmad Resident of village - Sabeya,
Police Station Ram Nagar, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Dubey

For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Siwan Town Police Station Case No. 30 of 2010 registered for the
offences punishable under Section 409 of the Indian Penal Code.

Petitioner was junior engineer at the relevant time and
accusation against him is that he took Rs.11,59,760/- as advance to
execute several government schemes but he did the work only to
the tune of Rs. 4,41,639/- and he misappropriated the remaining
amount .

Learned counsel for the petitioner drew my attention
towards Annexure-3 to the petition and submitted that the
informant, who happens to be Assistant Engineer took advance of

Rs. 36,24,053/- under the scheme of MLA/MLC fund and thereafter, petitioner took advance of Rs. 24,64,015/- under the scheme of MLA fund and Rs. 11,59,760 under the scheme of MLC fund. He further submitted that when an information under right to information Act was sought, it was reported that informant, himself gave the account of Rs. 36,24,053/- ;p.loand admitted that the work of more than Rs. 36 lacs had already been completed.

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 Chief Judicial Magistrate, Siwan in Siwan Town Police Station Case No. 30 of 2010, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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