

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34884 of 2014

Arising Out of PS.Case No. -455 Year- 2007 Thana -PURNEA SADAR District- PURNIA

- =====
1. Arjun Prasad Chaudhary (since retired) Son of Shri Prahlad Chaudhary
Resident of Village AND P.O.-Birsikpur, P.S.-Kalyanpur, District-
Samastipur.
2. Vijay Kumar Son of Shri Bhola Mahto C/o-Dr. Chandramohli Prasad,
Resident of Village AND P.O.-Marepur, P.S.-Bachhwara, District-
Begusarai.
3. Diwakar Bharti Son of Raghunandan Prasad Resident of Village AND
P.O.-Makoul, P.S. Chiria Bariapur, District-Begusarai.
4. Sanjay Kumar Son of Arjun Prasad Choudhary Resident of Village-
Birsikpur, P.O.-Bairisikpur Deori, P.S. Kalyanpur, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Mohan Kumar Sinha

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 12-03-2015

Heard both sides.

It is submitted that petitioner no.1 Arjun Pd.
Chaudhary died during the pendency of the bail application.
Accordingly the application for anticipatory bail filed on his
behalf has become in-fructuous. Accordingly the same is
dismissed as having become in-fructuous.

The petitioner apprehend their arrest in Purnea

P.S. Case No. 455 of 2007 registered under sections 420, 467, 468, 471, 406 and 120B of the Indian Penal Code. The allegation is that the petitioners were illegally appointed as Jute Extension Supervisor and they withdrew salary, thus the petitioners are said to have misappropriated the amount.

It is submitted that some of the petitioners filed C.W.J.C. No. 3861 of 2003 against the order of termination of their appointment and the same writ petition was allowed on 15.02.2007 with a direction to the respondent to reinstate them. The department preferred L.P.A. No. 578 of 2008 and the same was dismissed by a Division Bench of this Court vide order dated 31.07.2008.

Considering the fact that the petitioners were appointed as Jute Extension Officer, the appointment is said to be illegal but since the petitioners worked and withdrew their salary for their work and other co-accused persons have already been enlarged on anticipatory bail vide order passed in Cri. Misc. No. 6069 of 2012 and Cri. Misc. No. 10415 of 2013, the above named petitioners in the vent of their arrest or surrender before the court below within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand0 with two sureties of like amount each to the satisfaction of Chief

Judicial Magistrate, Purnea in Purnea Sadar P.S. Case No. 455
of 2007, subject to the conditions as laid down under section
438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

M.Rahman/-

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