

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46996 of 2014

Arising Out of PS.Case No. -109 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Arvind Rai S/o Sri Botal Rai Resident of Village Sitarampur, P.S. Muffasil
(Lakho), District Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 23-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 406 and 420 of the Indian Penal Code, this Court, by taking into account of allegation that it was this petitioner who had taken amount illegally from poor innocent villagers falling within the below poverty line, who were given to be free electricity under Rajiv Gandhi Electrification Scheme, is not inclined to grant privilege of anticipatory bail to the petitioner.

The only plea of the petitioner that he was mere a labourer assisting the contractor in the work of electrification will also be of no avail when in the enquiry, the petitioner himself had admitted that he had collected such money on behalf of the

employer, the contractor. The crucial question infact would be that when there was no scope for realization of money from villagers under the Rajiv Gandhi Electrification Scheme, the collection of money made by the petitioner would make him as guilty as his contractor.

Thus on considering all these aspects and the fact that there is a big racket in which the petitioner was a kingpin, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

This application is accordingly dismissed.

It is however made clear that noting said in this order would weight against the petitioner in case he would surrender and make a prayer for grant of regular bail.

(Mihir Kumar Jha, J)

Sujit/-

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