

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24649 of 2015**

Arising Out of PS.Case No. -188 Year- 2013 Thana -PAHARPUR District-  
EASTCHAMPARAN(MOTIHARI)

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Deonath Choudhary S/o - Late Hardeo Choudhary, resident of village -  
Karja Anant, P.S. Karja, District - Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Anu Priyadarshni, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

3 24-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 120B, 409, 420, 467, 468 and 471 of the Indian Penal Code and the fact that the petitioner was not named in the FIR and whatever has transpired in course of investigation as in para-77 of the case diary also does not contain any direct involvement of the petitioner working as Block Agriculture Officer in relation to decision taken for grant of fund under Indira Awas Yojana by allegedly forging the physical certificate (Biklang), this Court, keeping view that the petitioner has also got no criminal antecedent and that some of the accused, namely, Surendra Prasad, Hari Das and Krishnandan Kumar have been granted privilege of anticipatory bail by an order dated 22.05.2015 and its analogous cases, would also find the petitioner to be entitled for grant of anticipatory bail.



That being so, if the petitioner, namely, Deonath Choudhary, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari in connection with Paharpur P.S. Case No. 188 of 2013; subject to the following conditions:

- (i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody
- (ii) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each

and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

**(Mihir Kumar Jha, J)**

Sujit/-

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