

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46250 of 2014

Arising Out of PS.Case No. -133 Year- 2008 Thana -NATHNAGAR District- BHAGALPUR

=====

Prakash Chandra Pathak, S/o Late Grish Chandra Pathak, R/o Village –
Saidpur, P.S. Gopalpur, District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. M.Haque (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-05-2015

The petitioner being the Panchayat Secretary

has renewed his prayer for anticipatory bail in a case registered for
the offences punishable under Sections 406 and 420 of the Indian
Penal Code.

It is alleged that Rs.25,000/- of Indira Awas
Scheme was withdrawn by one Sunita Devi describing herself as
wife of the informant, who claims to be unmarried.

It is submitted by learned counsel for the
petitioner that list of the beneficiaries of the Indira Awas Scheme
was prepared before joining of the petitioner in the alleged Block.

The petitioner was granted anticipatory bail
on the undertaking to deposit Rs.25,000/- before the learned court
below which was to be invested in some fixed deposit scheme in
connection with the present case subject to the result of the case.
The petitioner was to furnish bail bonds within a period of 12

weeks but he could not furnish the same due to some communication gape and hence, second anticipatory bail application has been filed.

This Court is not inclined to entertain the second anticipatory bail application. Accordingly, this application is disposed of.

Since the petitioner was granted anticipatory bail on merits, there is no reason for the learned court below not to consider the prayer for regular bail of the petitioner, if he surrenders before the learned court below within a period of four weeks and deposits Rs.25,000/- before the learned court below which will be invested in some fixed deposit scheme in connection with the present case which will be subject to the result of the case.

It is expected from the learned court below to dispose of the bail application of the petitioner preferably on the same day in connection with Nathnagar P.S. Case No. 133 of 2008 pending in the court of learned Chief Judicial Magistrate, Bhagalpur.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--