

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14580 of 2015

Arising Out of PS.Case No. -150 Year- 2010 Thana -MAHISI District- SAHARSA

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Pawan Kumar Chaudhary Son of Sri Anant Narayan Chaudhary
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being retired headmaster is apprehending arrest in a case registered for the offences punishable under Sections 420/409/406/34 of the Indian Penal Code.

It is alleged against 78 persons including the petitioner that they were appointed as agent to execute the government scheme though they received huge amount in advance but did not complete the work allotted to them.

It is submitted by learned counsel for the petitioner that the present case has been lodged maliciously without verifying the records. In fact, the petitioner got the work done worth Rs. 35,000/- against the advance of Rs.30,000/- and petitioner has now retired. The co-accused have been granted anticipatory bail vide Criminal Miscellaneous No.12239 of 2013 and another analogous criminal miscellaneous applications. After perusing the case diary,

a co-ordinate bench of this Court came to the conclusion that the investigating officer tried his best to inspect the related documents of the concerned scheme but the relevant documents were not produced before the investigation officer and when audit raised objection with regard to A.C.D.C. bills, the Block Development Officer lodged the present case.

Considering the quantum of amount given to the petitioner and the co-accused have been granted anticipatory bail vide Criminal Miscellaneous No. 12239 of 2013 and another analogous matters and Criminal Miscellaneous No.54060 of 2013 and the petitioner has now retired, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No. 150 of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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