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**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.3379 of 2016**

Arising Out of PS.Case No. -152 Year- 2015 Thana -MADANPURA District- AURANGABAD

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1. Anup Prajapati S/o Late Neman Prajapati, resident of Village- Wari, P.S.- Dobhi, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**
For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Murlidhar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL ORDER

2 21-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420,466,467,468 and 474 of the Indian Penal Code.

The prosecution case is that the petitioner being Head Clerk of Madanpur block was custodian of measurement book of construction of Anganbari Centre. It is alleged that by interpolation in the measurement book inflated amount was paid to the constructing agent. In place of rupees one lac and odd rupees four lacs were paid.

It is submitted by the learned counsel for the petitioner that the measurement was entered into measurement book in the year 2012 and the same was handed over to the petitioner in 2015 when the

petitioner informed the BDO immediately who issued notice to the constructing agent who consequently deposited the inflated amount.

Considering the aforesaid submissions, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad in connection with Madanpur P.S. Case No.152 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification from the records and on submission of relevant proof that the alleged inflated amount has been deposited by the constructing agent.

**(Dinesh Kumar Singh, J)**

Anil/-

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