

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19096 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -RANIGANJ District- ARRARIA

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Nand Kishor Ray, Son of Late Pitambar Ray, Resident of Village-
Bhargama New, Police Station - Bhargama, District - Araria. Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Anil Kr. Singh No.1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 11-05-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Raniganj P.S. Case No. 43 of 2016, disclosing offences under Sections 406, 409 and 420 of the Indian Penal Code.

The petitioner was, at the relevant point of time, posted as Panchayat Secretary, Kosakpur Dakshin Gram Panchayat in the district of Araria. It is alleged that serious irregularities were committed by him, leading to embezzlement of government fund made available for implementation of various schemes under the Panchayati Raj.

Learned counsel appearing on behalf of the petitioner has submitted that a communication dated 08.08.2015 issued by the Deputy Development Commissioner, Araria is the foundation for lodging of the First Information Report. He has submitted that the allegation is against the Junior Engineers, who are said to have made wrong entries in the measurement book. He has also

submitted that the petitioner has been implicated only on the ground that the amount was withdrawn jointly by the Mukhiya and the Panchayat Secretary of the said Panchyat. It has also been submitted that with similar allegation, a separate First Information Report has been lodged, in which, Mukhiya of the said Gram Panchayat is the main accused and he has been granted anticipatory bail by this Court.

Considering the submission as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria in connection with Raniganj P.S. Case No. 43 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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