

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35850 of 2016

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

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1. Madhurendra Kumar Singh @ Madhurendra Kumar Sinha Son of Late
Bhrigunath Prasad Verma, Resident of Village- Purani Guder Bettiah, P.S-
Bettiah, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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

2 06-09-2016

Heard learned counsel for the petitioner
and the State.

The petitioner being the Junior Engineer in
Rural Development Department is apprehending his arrest
in a case registered for the offences punishable under
Sections 406, 409, 420/34 of the Indian Penal Code.

The prosecution case is that the accused
persons misappropriated the Government funds with
regard to MANREGA scheme amounting to Rs. 9,65,600/-.
The petitioner was working as Junior Engineer and it is
alleged that he made wrong entry in the measurement
book.

It is submitted by the learned counsel for
the petitioner that funds were released either to the



Panchayat Mukhiya or by the Executive Agent. The petitioner made only the entry in the measurement book which was approved by the Executive Engineer. The Panchayat Mukhiya has been granted bail by the learned Sessions Judge, Araria vide A.B.P. No. 99 of 2016, whereas the Executive Agent Nand Kishore Ray and other Junior Engineer Mahendra Sharma have been granted bail by a Coordinate Bench of this Court vide Cr. Misc. Nos. 19096 of 2016 and 22100 of 2016.

Considering the fact that the other accused persons have been granted anticipatory bail and counsel for the State does not controvert the contention of the counsel for the petitioner that petitioner is cooperating in investigation, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 43 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing affidavit that he will regularly co-operate in the investigation. Non co-operation in the investigation or in case of default in appearing before the

learned court below for three consecutive occasions will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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