

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13805 of 2016

Arising Out of PS.Case No. -225 Year- 2015 Thana -MANSI District- KHAGARIA

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Diwakar Chaudhary, Son of late Mohan Chaudhary, resident of Village-
Rahimpur, Police Station-Muffasil, District-Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mansi P.S. Case No. 225 of 2015 registered under Sections
406 and 409 read with 34 of the Indian Penal Code.

It is contended that the construction work was done
by the School Education Committee on the basis of a written
agreement executed between the State Project Director, B.E.P.S.
and Vidyalay Shiksha Samiti and this petitioner signed the
agreement merely as a witness and money was deposited in the
account of Vidyalay Shiksha Samiti. The said account was
operated by the President and Secretary of the Samiti. It is

further contended that even from the FIR, it would appear that major portion of the construction work was already executed and only part of the construction remained pending. It is also contended that the petitioner being in government service has got roots in the society and is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 225 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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