

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22100 of 2016

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

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1. Mahendra Sharma Son of Late Mukh Deo Singh Resident of Village - Jarkha, P.O. - Jarkha, P.S. - Sigori, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-07-2016 Heard learned counsel for the parties.

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

The petitioner retired as Junior Engineer, who was serving under Water Resources Development Department, Government of Bihar. He is said to have misappropriated the Government money to the tune of Rs.9,65.600/-, which was meant to be utilized for MANREGA.

Learned counsel appearing on behalf of the petitioner has submitted that there is no allegation that the said amount was entrusted to him. The only allegation against the petitioner is of recording wrong measurement of the work done. He has submitted that another co-accused, who is

Mukhiya of the Gram Panachayat has been granted anticipatory bail by the learned Sessions Judge, Araria in ABP No. 99 of 2016. It has further been submitted that another co-accused Nand Kishore Rai, the Agent of the work in question, has been granted anticipatory bail by this Court. It is his submission that the petitioner being retired employee, there is no likelihood that he would be fleeing from the course of investigation or trial.

Considering the above submissions, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in 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)

ArunKumar/-

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