

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22948 of 2016

Arising Out of PS.Case No. -299 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

1. Ashok Kumar Mishra, Son of Late Yamuna Prasad Mishra, Resident of Village- Chandsarai, P.S. Mahua, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupam Sinha

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-07-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Vaishali Police Station Case No. 299 of 2014, disclosing offences under Sections 406/420 of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as Panchayat Secretary of Amritpur Gram Panchayat, in Vaishali district.

With the allegation that certain solar lights were purchased in the said Gram Panchayat from agencies which were not authorized, the First Information Report came to be filed.

Learned Counsel for the petitioner has



submitted that no offence under Section 406/420 of the Indian Penal Code is made out on the basis of allegation contained in the First Information Report. It is secondly submitted that the Mukhiya of the said Gram Panchayat, against whom similar allegation was leveled, have been granted privilege of anticipatory bail by this Court by order, dated 13.08.2015, passed in Criminal Misc. No. 32379 of 2015, a copy of which has been annexed as Annexure-7 to this application.

Considering the above submission, this application is allowed.

Let the petitioner, Ashok Kumar Mishra, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Vaishali Police Station Case No. 299 of 2014, subject to the condition 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 bond shall be liable to be cancelled.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)