

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16734 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -NABINAGAR District- AURANGABAD

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Surendra Prasad Mandal S/o Dhiro Prasad Mandal R/o Vill-Badi Kodar Janna (Bholia Tola), P.S.-Sahebganj Dist-Sahebganj (Jharkhand) At Presently Posted Executive Officer, Nabi Nagar, Nagar Panchyat, Dist-Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate
Mr. Girish Chandra

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Nabi Nagar P.S. Case No. 83 of 2016, registered for offences punishable under Sections 420,406,409 and 34 of the Indian Penal Code.

As per the FIR allegation is that there are some irregularities in the compliance of some schemes in Nabi Nagar Municipality and after enquiry a case has been lodged against several persons including the previous Executive Officer and the petitioner was the informant in the case. It transpires that later on the name of the petitioner also appeared in this case during investigation.



It has been submitted on behalf of the petitioner that the petitioner is the informant of the case and his name has been mentioned only in the supervision note of the Dy. S.P. Apart from that there is nothing against the petitioner and another accused and the then Executive Officer, who are FIR named accused, have been granted anticipatory bail by this Court vide Annexure-3 series and the case of the petitioner is on better footing than them.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances as stated above as also that the other co-accused have been granted anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Aurangabad in connection with Nabi Nagar P.S. Case No. 83 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.



(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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