

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21569 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -AANTI District- GAYA

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1. Abhay Kumar son of Krishna Deo Singh resident of village - Vishnupur,
P.O. - Ikkil, P.S. - Madhepura, District - Jehanabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Anti P.S.Case No. 40 of 2016 registered under Sections 406,
420 and 409 of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that the petitioner has not misappropriated any amount
of MANREGA Scheme while being posted at Chabura Gram
Panchayat in Konch Prakhand. He submitted that a frivolous and
general complaint was made by one Raj Nath Chauhan that certain
amount under the Scheme was paid to such persons who had not
worked. The complaint was made to the Block Development
Officer, Konch, Gaya on the basis of which a show cause was
asked from the petitioner to which the petitioner has duly replied



and has stated that it was impossible to make payment in the name of certain other persons. It is also submitted that while the petitioner was posted at Gram Panchayat Chabura, no complaint was made against him. It is further contended that some other co-accused persons have already been granted pre-arrest bail by this Court.

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

Considering the submissions made above as also the nature of allegation made coupled with the fact that the petitioner is in Government service and is not likely to flee from justice, he 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 Judicial Magistrate 1st Class, Gaya in connection with Anti P.S.Case No. 40 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of his arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

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