

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46461 of 2017

Arising Out of PS. Case No.-29 Year-2014 Thana- PALASI District- Araria

Mantu Bhagat Son of Jai Narayan Bhagat resident of village - Belgachhi, P.S.
- Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. SRI RAM NARESH RAY

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-10-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Palasi P.S.Case N0. 29 of 2014, disclosing offences under Sections 406,409,420,467,468,471 and 120B of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there are altogether five persons named in the First Information Report, containing allegations of defalcation of public money to the tune of Rs. 20,92,5000.00/-. Rukmani Devi ex-Mukhiya of Dhramganj Panchayat has undertaken to deposit entire amount within three months. The petitioner of that case has been allowed regular bail by this Court passed in Cr. Misc. No. 5503 of 2015, dated 11.02.2015, on the condition that petitioner shall deposit Rs. 100000/- within one month and the rest of the



amount will be deposited within two months in equal installments. He has submitted that other co-accused persons including Panchayat Secretary and one of the Contractors have been allowed anticipatory bail by various orders passed by this Court.

The petitioner is a contractor. There is allegation of withdrawal of amount for the purpose of brick soling work, which was never executed.

Considering the submissions advanced on behalf of the petitioner that other similarly circumstanced contractors have been allowed anticipatory bail, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six 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 Araria P.S. Case No. 29 of 2014, 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)

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