

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37416 of 2017

Arising Out of PS.Case No. -59 Year- 2000 Thana -AURAI District- MUZAFFARPUR

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Jai Narayan Roy, Son of Laxman Roy, Village-Dharmpur, P.S.-Aurai,
District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Aurai P.S.

Case No. 59 of 2000 instituted for the offence under Sections 406
and 420 of the Indian Penal Code.

It is alleged by the Block Development Officer, Aurai,
in the written report that petitioner has not completed the
construction work of the school building of the Scheme 24/96-97
and total Rs.80,368/-is recoverable from the petitioner with
interest.

Learned counsel for the petitioner has submitted that
he has already completed the work, for which, the Block
Education Officer, by letter dated 5.12.2012 (Annexure-2) has
sent letter to the Investigating Officer informing that the work has



already been completed and the measurement book has been submitted in the Block Office.

The informant has made demand of the measurement book from the Block Office under Right to Information Act, vide Annexure-3.

In such circumstances, in view of the report of the Block Education Officer (Annexure-2), by which he has stated that work has already been completed, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Aurai P.S. Case No. 59 of 2000, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri Mukesh Kumar Mishra, learned Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if



petitioner tampers with the evidence or the witnesses of the case,
in that case, prosecution will be at liberty to move for cancellation
of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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