

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15935 of 2017

Arising Out of P.S .Case No. -36 Year- 2016 Thana -BELHAR District- BANKA

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Ranjan Prakash Rajak @ Prakash Ranjan, Son of Mahesh Lal Rajak,
Resident of Village- Mircha Talab, Police Station- Kotwali, District-
Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party/s : -----

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-06-2017 Heard Sri Ajay Mukherjee, learned counsel for the

petitioner.

No one appears for the State.

The petitioner is seeking anticipatory bail in Belhar
P.S. Case No. 36/2016 registered under Section 409 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
First Information Report itself is based on mistake of facts as
according to the First Information Report a sum of Rs. 3,40,000/-
was made available for construction of a school building,
however, on the basis of the measurement book it is alleged that
work has been done only for a sum of Rs. 2,86,135/- whereas from
perusal of the measurement book, it would be apparent that the
work is for Rs. 3,16,172/-. Learned counsel further submits that



the F.I.R. has been lodged in a mechanical manner only because there was an instruction from the District Programme Officer to the Block Development Officer, Belhar. He further submits that the petitioner is an Assistant Teacher and is ready to co-operate in the investigation and is ready to pay the balance amount approximately Rs. 25,000/- subject to the result of the case.

In the facts and circumstances of the case stated herein-above and considering the submissions of the petitioner, let the petitioner, namely, Ranjan Prakash Rajak @ Prakash Ranjan, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 Sub Judge IV-cum-Addl. Chief Judicial Magistrate III, Banka in Belhar P.S. Case No. 36/2016, subject to the conditions under Section 438(2) of the Code of Criminal Procedure. The petitioner shall deposit within four months Rs. 25,000/- as submitted by learned counsel in the court below subject to result of the case.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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