

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28234 of 2017

Arising Out of PS.Case No. -144 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Kamal Kumar @ Sri Kamal Kumar S/o Late Jaigobind Bishwash, The
Panchayat Secretary, Gram Panchayat Pithora Block-Narpatganj, District-
Araria. Permanent Address- resident of Village- Aurahi, P.S.- Simraha,
District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Narpatganj P.S. Case No. 144 of 2017 for the offences
instituted under Sections 420, 406, 409, 34 of the Indian Penal
Code.

The allegation against the petitioner is of defalcation
and misappropriation of the huge amount of government money,
which was allotted to him under scheme of Chapakal scheme-02
and 03.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has been made accused due to mistake of fact. There is no substantive evidence to suggest his implication in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs. 7, 50,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. petitioner and co-accused has misappropriated the public money.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 7,50,000/- in the court below, which shall be subject to final disposal of the case and on doing so, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of eight weeks from today in connection with Narpatganj P.S. Case No. 144 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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