

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33613 of 2017

Arising Out of PS.Case No. -142 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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1. Bharat Lal Paswan, S/o Late Mango Paswan, Mukhiya, Nagrah Gram
Panchayat, resident of village Nagrah, P.S. Navgachiya, district Bhagalpur
.... Petitioner

Versus

1. The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raghvendra Kumar Singh, Adv.

For the Opposite Party : Mr. Ram Priya Saran Singh, APP 52

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-08-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 188, 406, 409, 420, 467, 468 and 34 of the
Indian Penal Code.

It appears that similarly situated co-accused, Randhir
Kapoor, who was Panchayat Secretary, equally responsible along
with the petitioner, who was Mukhiya, to withdraw money of
Government scheme, has already been allowed anticipatory bail
by the learned Sessions Judge, Bhagalpur, in A.B.P. No. 1340 of
2016, vide Annexure 3.

Submission of the learned counsel for the petitioner
is that the case diary would reveal that there is no documentary
evidence to substantiate the statement of the Executive Engineer
that serious lapses were noticed in the estimate of the work as well
as the measurement book. Further submission is that no money
was withdrawn of any of the schemes and allegation is merely on
suspicion.

Considering the entire facts, let the petitioner, above



named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Navgachiya P.S. Case No. 142 of 2016** to the satisfaction of the **Additional Chief Judicial Magistrate, II, Navgachiya, Bhagalpur**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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