

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31143 of 2017

Arising Out of P.S.Case No. -86 Year- 2017 Thana -RAMPUR District- GAYA

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Niranjan Kumar, son of Muni Sharma, resident of village-Lakhibag,
P.S.Muffasil, District-Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajendra Prasad, Advocate

For the Opposite Party : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 13-07-2017 Heard.

The petitioner apprehends arrest in connection with Rampur P.S.Case No.86 of 2017 pending in the Court of CJM, Gaya registered for an offence under Sections 409 and 420 of the IPC.

The informant of this case is the District Programme Officer of Mid-day-meal, Gaya. It has been alleged that this petitioner was initially working as Panchayat Rojgar Sewak at Lauria, District-West Champaran. Subsequently, he was selected as Block Sadhan Sewak Mid-day meal Yojna Gaya where he joined on 01.04.2008. The petitioner even after joining at Gaya continued taking salary from the block office of West Champaran



district. He drew salary from 01.04.2008 to 22.02.2012.

Learned counsel for the petitioner submits that as the petitioner did not close his bank account at West Champaran, his salary for the aforesaid period was deposited by the block office. The petitioner had no knowledge about the deposit of salary for the relevant period. The petitioner having come to know about depositing of salary in his account has deposited the total amount of Rs.1,48,861/- in favour of DRDA, Bettiah as per demand draft no.016476 dated 25.05.2016. The petitioner voluntarily deposited the said amount before institution of the present case and so he deserves anticipatory bail.

The learned Additional PP opposed the prayer.

On perusal of FIR and annexures on record, I find that the petitioner admittedly left the office of West Champaran and joined his new assignment at Gaya on 01.04.2008. The petitioner allegedly got salary from the block office Lauria, West Champaran for the above period. A show cause notice was issued to the petitioner on 17.05.2016 in this regard and only thereafter he deposited the said amount. The conduct of this petitioner was not fair as he kept the salary amount for a period of eight years, having regard to which, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer is refused. The petitioner



is directed to surrender before the court below where his prayer shall be considered without being prejudiced by the order of this Court.

(Sanjay Kumar.)

B.Kr./-

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