

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50447 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -ARIYARI District- SEIKHPURA

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Alok Kumar S/o Sri Kishori Prasad, R/o Village- Warsaliganj, North Market, Badi Masjid, P.S.- Warsaliganj, District- Nawada, at present posted as Panchayat Technician Assistant at Ariyari Block, P.S.- Ariyari, District- Sheikhpura. Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 30-10-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with Ariyari P.S. Case No. 104 of 2017 registered for the offences under sections 406, 409, 420, 467, 468 and 471/34 of the Indian Penal Code.

The accusation is that, on enquiry, irregularities were found in nine Schemes of MANREGA, and allegation against this petitioner relates to Scheme No. 6.

The learned counsel for the petitioner submits that the petitioner was posted as Panchayat Technical Assistant at Panchayat Hussainabad. The allegation of irregularity in plantation relates to period 2012-13 whereas this petitioner joined as Panchayat Technical Assistant on 07.07.2014 i.e. after more



than two years of alleged irregularity. The similarly situated co-accused, namely, Narendra Kumar has been allowed anticipatory bail by one of the coordinate Bench of this Court on 04.10.2017 in Criminal Miscellaneous No. 47323 of 2017 and so this petitioner also deserves anticipatory bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the case of this petitioner on similar footing and also the fact that the alleged irregularity relates to period much earlier to the joining of this petitioner, the prayer of anticipatory bail is allowed and the petitioner, Alok Kumar, in the event of arrest or surrender before the Court below within a period of six weeks, be released 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-Divisional Judicial Magistrate, Sheikhpura in connection with Ariyari P.S. Case No.104 of 2017, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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