

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5015 of 2017

Arising Out of PS.Case No. -455 Year- 2007 Thana -PURNEA SADAR District- PURNIA

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Prabhat Ranjan, Son of Baban Ram, Village- Punjabi Colony, Chikohara,
Post Office. Anisabad, P.S.-Gardanibagh, Patna-800002

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-02-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case instituted for the offence under Sections 420, 467, 468, 471, 406 and 120(B) of the Indian Penal Code.

There is allegation against the petitioner that he got illegal appointment as Jute Extension Officer and by virtue of that he withdrew the salary which is said to be defalcation of government money.

It has been submitted on behalf of the petitioner that he pursued legal remedy against the termination order vide CWJC No. 3861 of 2003 with other appointees and the same was allowed on 15.2.2007 with a direction to the respondent to reinstate them. The department preferred L.P.A. 578 of 2008 and the same was dismissed by a Division Bench of this Court by order dated



31.7.2008. It has further been submitted that thereafter the department moved the Hon'ble Supreme Court and after remand of the matter by the Hon'ble Supreme Court, the same was again heard by this Hon'ble Court vide L.P.A. No. 578 of 2008 and finally by order passed in aforesaid L.P.A., the petitioners lost the case. The petitioner has submitted that they have got salary for the period they have worked and, hence, they have not misappropriated any government money. It has further been submitted that other co-accused with similar allegations have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 26.2.2016 passed in Cr. Misc. 9059 of 2016.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Purnea Sadar P.S. Case No. 455 of 2007, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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