

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26392 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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Rajesh Kumar, S/o Shri Ram Singh, Resident of Village- Dumrawan, P.S.-
Pakribarawan, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar, Advocate.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner apprehends his arrest in **Sarmera P.S.**
Case No. 31 of 2018 instituted for the offence under Sections 406, 409,
420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner was Block Agriculture Officer of Sarmera Block during the
financial year 2014-15 and 2015-16. The petitioner has no role in
purchase of machines under *Krishi Yantrikaran Scheme*. The petitioner
was only required to verify the claim of farmers as pointed out in the
guidelines which has been enclosed as Annexure-3. It has further been
submitted that machines have been purchased in Mela by the farmers
and it was to be verified either by the Officer authorised by the D.A.O.
or Agriculture Coordinator. The Guidelines issued vide letter dated



03.12.2014 by the Agriculture Department has been enclosed as Annexure-2.

In such circumstances, there is no any specific allegation against the petitioners that he has misappropriated the government money.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sarmera P.S. Case No. 31 of 2018**, he 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 learned **Additional Chief Judicial Magistrate-IV, Nalanda**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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