

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62303 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -SHEIKHOPUR SARAI District- SEKHPURA

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Brajesh Kumar son of Late Ramdhani Singh resident of village and Police Station - Hathiyawa, District - Sheikhpura at present working on post of Panchayat Secretary and posted at Shkhopur Sarai Block District - Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 08-03-2018 Heard the learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks anticipatory bail in connection with Sheikhopur Sarai PS case no. 104 of 2017 registered for the offences punishable under Sections 406, 420, 467, 468 of the Indian Penal Code.

The allegation against the petitioner is that while he was posted as Panchayat Secretary, he had received a huge sum of money on the head of pension scheme for distribution to the beneficiaries and ultimately it was found that he had failed to return unutilized fund amounting to a sum of Rs. 6.60 lakhs.

The learned counsel for the petitioner submits that the investigation as also the supervision note submitted by the police,



which is a part of the case diary, would show that the petitioner had submitted all the requisite details regarding spending the entire amount, which he had received, however, the Block Development Officer and the Nazir had with oblique motive made the concerned register and voucher traceless and thereafter had pressurized the petitioner to submit false bills for their own benefits, but since the petitioner did not come under the pressure of the said B.D.O. and Nazir, the present case was filed against him.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Sheikhpura in connection with Sheikhopur Sarai PS case no. 104 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall join investigation and would be present as and when he is called by the investigating agency. Any non-cooperation with the prosecution



will result in cancellation of the present privilege of anticipatory bail, for which the investigating Officer/ prosecuting agency shall be free to approach this Court.

(Mohit Kumar Shah, J)

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