

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8576 of 2018

Arising Out of PS.Case No. -195 Year- 2017 Thana -NARDIGANJ District- NAWADA

=====

Murari Prasad, Son of late Bishundhari Singh, Resident of Village-Ismailpur, Police Station-Sirdala, District-Nawada. At Present Panchayat Secretary, Gram Panchayat Handiya, Police Station-Nardiganj, District-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. L.K. Sharma, Advocate.
Mr. Rajesh Kumar, Advocate
For the informant : Mr. Rudal Prasad, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 08-05-2018 Supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on the record.

Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in **Nardiganj**
P.S. Case No. 195 of 2017 instituted for the offence under
Sections 406, 409, 420, 467, 468 and 471/34 of the Indian Penal
Code.

Learned counsel for the petitioner has submitted that
in the written report there is no allegation of any defalcation of
amount against the petitioner. The only allegation against the



petitioner is that without transferring the amount first to Ward Vikas Samiti, the money has been directly withdrawn by the petitioner. It has further been submitted that measurement book has been issued after completion of all the work. The co-accused Rakesh Kumar @ Shree Rakesh Kumar with similar allegation has been granted anticipatory bail by this Court vide order dated 27.03.2018 passed in Cr. Misc. 5294 of 2018.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioner.

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 **Nardiganj P.S. Case No. 195 of 2017**, 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-VI, Nawada**, 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)

S.Ali/-

U		T	
---	--	---	--

