

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27748 of 2018

Arising Out of P.S.Case No. -503 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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MUSHAFIR SAH @ MUSHAFIR PRASAD SAH @ MUSHAFIR
PRASAD, Son of Late Ramawtar Sah, Resident of Village- Jiwajor, P.S.-
Aurai, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate.

For the Opposite Party/s : Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-06-208 Heard the parties.

The petitioner seeks anticipatory bail in connection with Muzaffarpur Sadar P.S.Case No. 503 of 2016, registered for offences punishable under Sections 406, 409, 420, 467, 468, 471 and 120B of the Indian Penal Code.

The allegation against the petitioner is that the petitioner and other beneficiaries misappropriated the Government money of Rs. seven crore ninety five lacks twenty one thousand and six hundred forty four (Rs. 7, 95, 21, 644.00/-) during the financial year 2007-2008 to 2013-2014.

Submission of the learned counsel for the petitioner is that the petitioner is the beneficiary and he has been falsely implicated in this case. It has also been submitted that similarly situated several co-accused persons have already been allowed bail by different Co- ordinate Benches of this Court vide order



dated 24.04.2017 passed in Cr. Misc. No. 8044 of 2017 and order dated 19.07.2017 passed in Cr. Misc. No. 19159 of 2017.

Learned A.P.P. opposes the bail of the petitioner.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, above named, surrenders before the court below within a period of six weeks from the date of the order and on surrender, he will be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Sadar P. S. Case No. 503 of 2016, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

However, it is made clear that once charge sheet is submitted and the case is found true, he will have to surrender before the Court below and pray for regular bail which will be considered on the basis of material available on record.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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