

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40745 of 2018

Arising Out of PS. Case No.-38 Year-2017 Thana- MAIGRA District- Gaya

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Surendra Paswan, Son of Raj Kumar Paswan, Resident of Village- Baradih,
P.S.- Imamganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Maigra P.S. case no. 38 of
2017 instituted for the offence under Section(s) 420 and 409 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner was working as Branch Manager of Customer Service
Provider of Madhya Bihar Gramin Bank. He has no role either in
sanction of MANREGA amount or in the disbursement thereof.
MANREGA amount was transferred to the account of beneficiaries
and thereafter it was disbursed. It is not possible without the
involvement of concerned Block Authorities and the concerned
Panchayat Secretary to withdraw the aforesaid amount. It is further
submitted that in paragraph nos. 7,8 and 9 of the case diary
beneficiaries has given statement before the police that no money



has been withdrawn by this petitioner and they have no dues rather the petitioner has given the entire amount to the beneficiaries of that scheme.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Maigra P.S. case no. 38 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 the J.M.,1st Class, Sherghati (Gaya) , 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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