

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16674 of 2018

Arising Out of PS.Case No. -124 Year- 2017 Thana -PIPRAHI District- SHEOHAR

=====

1. Mangalam Kumar Singh, S/o Late Mithilesh Kumar Singh, Resident of
Village + P.O.- Ramnagar, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Piprahi P.S. Case No.124 of 2017 for the offence registered
under Sections 409/406/419/420/468/471/201/120B/34 of the
Indian Penal Code.

Learned counsel appearing on behalf of the petitioner
submits that so far as the present petitioner is concerned he is the
District Coordinator, who reports regarding the construction of
such toilets within the district. It is submitted that when the
complaint was made it was he who reported that the toilets, in
fact, have been constructed only partially and some of the toilets
had not been constructed whereas same has been damaged by the



contractor.

Learned counsel for the petitioner submits that neither he has any role in disbursement of fund for creation of Swachha Bharat Mission nor he is responsible for planning out or releasing money in favour of any beneficiary. Thus, it is only his report which, according to the petitioner, has been duly filed by him giving the correct position and which has led to the lodging of the present FIR. It is, thus, submitted that the petitioner has no role to play in the alleged defalcation of funds regarding creation of toilets under the Swachha Bharat Mission.

Learned counsel for the petitioner submits that other similarly situated persons have been extended privilege of anticipatory bail in Cr. Misc. No.61622 of 2017 vide order dated 02.02.2018 and also in Cr. Misc. No.63144 of 2017 vide order dated 19.02.2018.

Considering the fact that the petitioner's case also stands similarly placed and that he is not having any criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, 1st Class, Sheohar, in connection with Piprahi P.S. Case No.124 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

Mkr./-

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

