

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32887 of 2018

Arising Out of PS.Case No. -267 Year- 2017 Thana -HISUA District- NAWADA

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Murari Prasad @ Murari Singh S/o Late Bishundhari Singh, R/o Vill.-
Ismailpur, P.S.- Sirdala, District- Nawada, at present Panchayat secretary,
Gram Panchayat Handiya, P.S.- Nardiganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate.
Mr. Lakshmi Kant Sharma, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 05-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his application for grant of
pre-arrest bail in connection with Hisua P.S. Case No. 267 of 2017
registered for the offences under Sections 467, 468, 471, 406, 409
& 120-B of the Indian Penal Code.

Mr. Ramakant Sharma, learned Senior Advocate
appearing for the petitioner submitted that similarly circumstanced
co-accused Minta Devi, Mukhiya of the Gram Panchayat has
already been granted pre-arrest bail vide order dated 25.04.2018
passed in Cr. Misc. No. 25155 of 2018. He contended that this fact
was not brought to the notice of the Court when the application of



the petitioner was earlier considered for grant of pre-arrest bail.

Be that as it may, vide order dated 03.05.2018 passed in Cr. Misc. No. 26352 of 2018, the prayer for grant of pre-arrest bail of the petitioner was rejected considering the allegation made in the FIR that the petitioner had illegally withdrawn huge amount of Rs. 39,59,238/- from the *Mukhya Mantri Saat Nischay Yogna*. The ground that the lady Mukhiya has already been granted pre-arrest bail by a co-ordinate Bench of this Court may be a consideration for the court below when it would consider the application of the petitioner for grant of bail on surrender. However, on merits I am not inclined to grant pre-arrest bail to the petitioner. The application is accordingly dismissed.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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