

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47212 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- DEO District- Aurangabad

=====

Pramod Prasad Chaurasia, Son of Shri Ram Bilas Chaurasia, Resident of
Village- Arora, P.S.- Deo, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in **Deo P.S Case No.44 of 2018** instituted for the offence under Section(s) 420, 467, 468, 471, 406 and 409 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that Panchayat Secretary has already been granted anticipatory bail by this Court vide order dated 03.08.2018 passed in Cr. Misc. No.43555 of 2018 as he was ready to deposit the amount of Rs.21,36,250/- as mentioned in the report of the Block Development Officer, Dev sent to the District Magistrate, Aurangabad available at running page 19 of the brief. From the aforesaid report, it appears that BDO found this petitioner also liable for the defalcation of the amount of Rs. 21,36, 250/- of



the fund of Chief Minister Seven Nischaya Yojna. The counsel for petitioner has submitted that this bail petition be also disposed of in light of Cr. Misc. no. 43555 of 2018.

In view of such, this application is disposed of with direction to the petitioner to surrender before the learned CJM, Aurangabad in connection with Deo P.S. Case No.44 of 2018 within a period of six weeks from the date of receipt of this order along with the proof of deposit of 1/4th of Rs. 21,36,250/- and an affidavit that he will make payment of balance amount within 12 months in twelve equal installments and in that event, the Court below will release the petitioner on provisional anticipatory bail for a period of 12 months to its own satisfaction on the surety to be fixed by the Court below itself, 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.

After payment of the entire amount the provisional bail of the petitioner will be confirmed.

It is made clear that in the event petitioner does not surrender before the Court below along with proof of deposit of first installment and an affidavit as stated above or the petitioner commits default in making payment of single installment, provisional bail of the petitioner will be cancelled.

(Sanjay Priya, J)

shyambihari/-

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

