

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47008 of 2018

Arising Out of PS.Case No. -89 Year- 2017 Thana -MALI District- AURANGABAD

=====

1. Kachandeo Kumar @ Kanchandeo Kumar @ Kanchandeo Singh S/o Late
Shankar Singh, R/o Vill.- Eraura, P.S.- Deo, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Madhuranand Jha

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Mali P.S. Case
No. 89/2017, instituted for the offences punishable under Sections
420, 467, 468 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
in the written report, there is specific allegation against co-accused
Santosh Vishwakarma, husband of Ward Member, of defalcating
money. Petitioner was working as Gramin Awas Sahayak. He is
not named in the F.I.R. His name has transpired during
investigation that under Pradhan Mantri Awas Yojna for the
financial year 2016-17 co-accused Santosh Vishwakarma and this
petitioner took Rs. 30,000/- from 10 beneficiaries.



Supplementary affidavit has been filed on behalf of the petitioner stating therein that petitioner was transferred from Nabinagar Block to Kutumba Block and working there from 12.06.2017 itself. B.D.O., Kutumba has also issued a certificate stating that petitioner bears good moral character.

In the entire F.I.R., there is no allegation of any defalcation against this petitioner.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Mali P.S. Case No. 89/2017, 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 learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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.)

Rakhi

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

