

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22796 of 2018

Arising Out of PS.Case No. -32 Year- 2018 Thana -BHAGWAN BAZAR District- SARAN

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Dhiraj Kumar, Son of Lalan Prasad Srivastava, Resident of Mohalla- Nai Basti, Malviya Nagar, P.O.- Siwan, P.S.- Mahadeva (O.P.), District- Siwan.

.... Petitioner

Versus

1. The State of Bihar
2. The District Health society, Saran, Chapra though Civil Surgeon-cum-Secretary

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-07-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Bhagwan Bazar P.S.Case No. 32 of 2018 registered for the offences punishable under Sections 420, 409, 467, 468 and 471 of the Indian Penal Code.

Allegation against the petitioner, who happens to be District Programme Manager of the District Health Society, that he made manipulation in proceeding of the District Health Society in order to give benefit to his favourable persons.

Submission of learned counsel for the petitioner is that the matter was enquired into by the Commissioner and the Commissioner has ordered enquiry to be done by High Level



Committee, against which other persons have moved before this Court in CWJC No. 6129 of 2018 and that order has been quashed and the matter was remitted back to the District Magistrate for fresh enquiry.

Heard learned APP and learned counsel for opposite party No.2, who has opposed the prayer for anticipatory bail on the ground that prima facie there is allegation against the petitioner.

Having heard both sides and in the facts and circumstances, let the petitioner, named above, surrender within a period of six weeks from the receipt of this order and on his so surrendering he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran, in connection with Bhagwan Bazar P.S. Case No. 32 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned with further condition that he has to appear before the Investigating Officer as and when required, otherwise his bail bond shall be cancelled.

It is also made clear that once charge sheet has been



submitted against the petitioner and the case is found true against him, he has to surrender and make prayer for regular bail.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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