

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27028 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -DINARA District- SASARAM (ROHTAS)

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Mantosh Kumar Singh, son of late Bikrama Singh, resident of village-
Amatha, Police Station-Shivsagar, District-Rohtas at Sasaram.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dinara P.S.**

Case No.46 of 2018 instituted for the offence under Sections 420
and 409 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner was working as Panchayat Secretary and while he was
posted at Dinara Block, he was entrusted with the discharge of
functioning of Panchayat Secretary of different Gram Panchayats.
One of the Schemes was taken by the Panchayat Samiti, Dinara,
for Rs.5,68,400/- vide Scheme No. 11 of 2013-14 for repairing
and painting of the Government offices of Dinara Block
compound, as per the Government policy decision. The said
Scheme was not to be executed by the contractor but only by



Government agency. The petitioner being Government employee was appointed as executive agent and work order was issued vide memo no.51 dated 22.05.2014. Xerox copy of the said work order has been enclosed as Annexure-2. There is no allegation against petitioner that work has not been completed. It has further been submitted that in pursuant to the said work order, the petitioner executed work and final payment has been made after completion of work on 21.7.2014. The details of payment which have been made by the petitioner is mentioned in paragraph-9 of the bail petition.

In the written report it is mentioned that work has been completed. The allegation has been made that signature on purchase of materials of shopkeepers and certain labourers have not been taken rather signature of other persons have been taken.

Considering the facts and circumstances of the case, 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 **Dinara P.S. Case No.46 of 2018**, 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 learned **Additional Chief Judicial Magistrate, Bikramganj**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

S.Ali/-

(Sanjay Priya, J)

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