

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61639 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

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1. Amit Kumar Gupta, S/o Mahesh Kumar Gupta, R/o Road No.3, Gobersahin Chowk, District- Muzaffarpur, Mobile No. 903478822, at present Accountant, Primary Health Centre, Muraul, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 26-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Motipur P.S.**

Case No.133 of 2017 instituted for the offence under Section(s) 409 Indian Penal Code.

Counsel for the petitioner has submitted that the petitioner joined as Accounts Manager, Motipur Block on 20.07.2016 and was transferred from Motipur to Muraul on 11.08.2016. Thereafter, one Ajit Kumar, joined as Block Accounts Officer and the petitioner gave his charge on 01.10.2016 and 23.02.2017. Copy of the charge report has been annexed as Annexure-5 series.



In the written report, there is allegation that the petitioner did not make payment to *Asha* workers although money was available in the account.

In this manner, there is no any allegation against the petitioner of financial misappropriation of the government money.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Motipur P.S. Case No.133 of 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 **Sub-Divisional Judicial Magistrate, West, Muzaffarpur**, 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.

(Sanjay Priya, J)

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