

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38240 of 2018

Arising Out of PS. Case No.-136 Year-2017 Thana- DAGARUA District- Purnia

1. Anmol Jha @ Anmol Kumar Jha, S/o Late Doman Lal Acharya
2. Hira Lal Das, S/o Late Gore Lal Das
3. Anil Mandal, S/o Late Fatkan Mandal
4. Mangan Rishi, S/o Late Bhagat Rishi
5. Budh Dev Baski, S/o Durga Baski
All are R/o Babhni, P.S. Dagarwa, District- Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend arrest in Dagarwa P.S.
Case No. 136 of 2017 instituted for the offence under Sections
406,420/34 of the IPC.

Learned counsel for the petitioners submits that these
petitioners are elected people's representative. The verification
of the document is the duty of Government Clerk such as
Panchayat Sachiv and Revenue Clerk. It has been further
submitted that there is no allegation of any misappropriation of
amount of Indira Awas Yojana against these petitioners. He
further submits that the government fund is transferred directly
in the accounts of the beneficiaries. It has been further
submitted that similarly situated co-accused have already been



granted anticipatory bail by coordinate Benches of this Court by order dated 17.11.2017 and 29.05.2018 passed in Cr.Misc. No. 51186 of 2017 and Cr. Misc. No. 28745 of 2018 respectively.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Dagarwa P.S. Case No. 136 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Purnia, subject to condition as laid down u/S 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) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

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