

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2452 of 2018

Arising Out of PS.Case No. -169 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Jogmaya Devi @ Yogmaya Devi
 2. Ram Ekbal Paswan &
 3. Ruman Kumar

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

4 27-02-2018 Heard learned counsel for the petitioners and counsel
appearing on behalf of the State.

The petitioners are apprehending arrest in connection with
Majhauilya Town P.S. Case No. 169 of 2017 instituted for offence
under Sections-420, 406 & 409 of the Indian Penal Code.

The allegation against the petitioners in the present case is
of embezzlement of an amount meant for allocation of labourers under
MANREGA scheme. The total amount was 2,70,000/- and in the matter
of distribution of the aforesaid fund, petitioners and the Deputy
Postmaster of Chanayan Bandh were involved.

In the peculiar facts of this case, the court is inclined to
grant anticipatory bail to the petitioners on the conditions that
petitioners will deposit a sum of Rs. 1,90,000/- before the learned
Chief Judicial Magistrate, West Champaran, Bettiah within a period



of three months. In order to facilitate the petitioners to deposit the aforesaid amount, provisional bail is granted in the event of arrest or surrender within a period of one month, the learned Chief Judicial Magistrate, West Champaran, Bettiah will enlarge the petitioners on anticipatory bail provisionally on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Majhauriya Town P.S. Case No. 169 of 2017 subject to condition as laid down u/S 438(2) of the Cr.P.C. and, on deposit of Rs. 190000/- within a period of three months, the learned Chief Judicial Magistrate is required to make anticipatory bail granted to the petitioners absolute. In the event of failure in depositing the amount, the provisional anticipatory bail granted to the petitioners shall be treated to be cancelled.

The amount of Rs. 190000/- deposited by the petitioners in the present case, will be subject to final decision in the criminal case. If the petitioners are found not guilty on conclusion of trial of the case, the petitioners shall be entitled to get refund of the amount so deposited and in case, petitioners are found guilty, the amount so deposited will be forfeited.

(Anil Kumar Upadhyay, J)

A.K.V./-

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