

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9271 of 2018**

Arising Out of PS.Case No. -54 Year- 2017 Thana -GOH District- AURANGABAD

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1. Mithilesh Prasad, S/o Shiv Shankar Ram, resident of Village- Munjahara,  
P.S.- Goh, District- Aurangabad (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      06-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Goh P.S. Case No. 54 of  
2017 instituted for the offence under Sections-409 and 420 of the  
Indian Penal Code.

Counsel for the petitioner submits that other co-accused  
with similar allegation have already been granted anticipatory bail by  
different Benches of this Court passed in Cri. Misc. No. 57931 of 2017  
on 11.12.2017, Cri. Misc. No. 51608 of 2017 on 12.12.2017, Cri. Misc.  
No. 54729 of 2017 on 18.01.2018. Counsel for the petitioner further  
submits that there is general allegation. The name of the petitioner has  
been included in the list of 94 accused persons alleging that government  
money has been misused in distribution of pre-matric scholarship  
second installment by preparing pay voucher or by cash payment  
beyond financial norms by the respective in-charge of schools in



collusion with Manju Kumari B.E.O., Venkatesh Sharma and Md. Shahid Alam.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Goh P.S. Case No. 54 of 2017 to the satisfaction of learned S.D.J.M., Daudnagar, Distt. Aurangabad 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner 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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