

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54706 of 2017

Arising Out of PS.Case No. -144 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Naresh Kamat, Son of Khushi Lal Kamat, Resident of Village:- Pithora,
P.S. Narpatganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate.

For the Opposite Party/s : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 31-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Narpatganj**

P.S. Case No. 144 of 2017, G.R. No. 1163 of 2017 instituted for
the offence under Sections 420, 406 and 409/34 of the Indian
Penal Code.

Learned counsel for the petitioner has submitted that
from the written report itself it would appear that petitioner has
only given the administrative approval of the Project. He is
nowhere beneficiary of the amount. The Project work was
completed by Kamal Kumar, Panchayat Secretary. He has
received the payment for the said Project.

In the written report it is alleged that this petitioner
being Ex-Mukhiya at the relevant time has given administrative



approval of different Projects. The main allegation against this petitioner is that he was authorized to give only approval for Project up to Rs.5,00,000/- but he has given approval of the Projects beyond the aforesaid amount.

From the written report itself this Court finds that the entire Project was done by Kamal Kumar, Panchayat Secretary and the payment has been received by him.

The co-accused Kamal Kumar @ Sri Kamal Kumar has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 6.7.2017 passed in Cr. Misc. 28234 of 2017

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 **Narpatganj P.S. Case No. 144 of 2017, G.R. No. 1163 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 **learned Chief Judicial Magistrate, Araria**, 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 their 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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