

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38270 of 2018

Arising Out of PS. Case No.-721 Year-2017 Thana- NATHNAGAR District- Bhagalpur

Prabhas Kumar Das, Son of Doman Das, resident of Village- Dharhara, P.S.
Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 03-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Nath Nagar
(Madhusudanpur) P.S. Case No. 721 of 2017 instituted for the
offence under Sections 409,420 of the IPC.

In the written report, it is alleged that petitioner who
was working as Gramin Awas Sahayak prepared list of
beneficiaries under the scheme of Pradhan Mantri Awas
Yojana(Gramin) for the Financial Year 2016-17. The list
contained the name of persons who were not entitled to receive
the amount under the aforesaid scheme.

Learned counsel for the petitioner submits that all the
beneficiaries in whose account money was transferred had
returned the amount of Rs. 50,000/- each in the account of Block
Development Officer, Nath Nagar. In support of such statement,
document has been enclosed as Annexure-2 to this petition, which
has been issued by the BDO, Nath Nagar.



In this manner there is no misappropriation of money by the petitioner.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 721 of 2017 to the satisfaction of learned Sub-Judge-Ist(A.C.J.M. I/c), Bhagalpur, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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