

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53909 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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1. Mantu Yadav S/o Ramanand Yadav R/oVillage Soniyaban, P.O. & P.S.
Jaimuar, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Gandhi Maidan P.S.
Case No. 118 of 2016 instituted for the offence under Sections-420,
467, 468, 471, 120(B) of the Indian Penal Code.

There is allegation in the written report that the petitioner
and other accused persons transferred the money of pre-matric
Scholarship fraudulently in the account of some fictitious persons.

It has been submitted that during investigation, it has come
in paragraph-44 of the case diary that an amount of Rs. 15,20,000/- has
been recovered from possession of clerk of Gona High School namely
Sudhir Kumar and Md. Arif who are not named in the written report.
The seizure list bears signatures of both the persons. This petitioner was
IVth grade employee in the aforesaid Gona High School. There is no
recovery of any amount from his possession. It has further been



submitted that other co-accused persons with similar allegation have been granted anticipatory bail by different benches of this court vide orders dated 11-08-2016 & 06-02-2017 passed in Cr. Misc. Nos. 26558 of 2016 & 32362 of 2016 respectively.

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 in Gandhi Maidan P.S. Case No. 118 of 2016 to the satisfaction of learned Sub Judge-VI-cum-Additional Chief Judicial Magistrate, Patna 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 liable to 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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