

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47642 of 2018

Arising Out of PS. Case No.-134 Year-2018 Thana- MADANPUR District- Aurangabad

Subhash Singh S/o Late Chandradeo Singh, resident of Village- Khutahan,
P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Madanpur P.S. case
no. 134 of 2018 instituted for the offence under Section(s) 409
and 420 of the Indian Penal Code.

It is alleged in the written report that this petitioner who
was Panchayat Secretary along with present Mukhiya had
withdrawn an amount of Rs. 4,57,500/- and misappropriated the
same.

Learned counsel for the petitioner has submitted that
Mukhiya, namely, Rajesh Kumar, had already deposited the
amount of Rs. 4,57,500/-. He has been granted bail on the
aforesaid ground by Co-ordinate Bench of this Court by order
dated 21.8. 2018 passed in Cr. Misc. no. 47908 of 2018. The



learned Sessions Judge, Aurangabad, has mentioned in the impugned order that money has been deposited .

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Madanpur P.S. case no. 134 of 2018 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 the CJM Aurangabad, 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 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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