

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39870 of 2018

Arising Out of PS. Case No.-259 Year-2017 Thana- KUDHNI District- Muzaffarpur

Ajay Kumar Singh, Son of Sri Ram Vichar Singh, Resident of Village- Pupri
Tola Veer Nagar, Police Station- Kudhni(Turki), O.P., District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar @ Vijay Kr. Singh

For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-07-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 409 and 420/34 of the IPC.

The prosecution case, as per the written report of Block Development Officer, Kudhni, dated 27.06.2017, submitted to the Station House Officer, Kurhni is to the effect that the petitioner, being the then Panchayat Mukhiya, in league with co-accused, Baidyanath Dubey (Panchayat Secretary) misappropriate the government money of different schemes to the tune of Rs. 1,43,951/-.



It is submitted by learned counsel for the petitioner that co-accused Baidyanath Dubey the then Panchayat Secretary has been granted anticipatory bail by the learned Session Court, on deposit of Rs. 81,000/- with interest, though, the impugned order reflects that said offer was given to the petitioner also, but since the petitioner failed to deposit the remaining misappropriated amount, his prayer for anticipatory bail was rejected by the learned Court below. Now the petitioner is ready to deposit rest misappropriate amount before the learned Court below within a period of four weeks, since out of total misappropriated amount of Rs. 1,43,951/-, the co-accused Baidyanath Dubey has already deposited Rs. 81,000/- and the petitioner is ready to deposit Rs. 63,000/-.

On deposit of remaining aforementioned misappropriate amount within a period of four week, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-III, West Muzaffarpur in connection with Kudhni (Turki) P.S. Case No. 259 of 2017, subject to the condition as laid down under Section 438(2) of



the Cr. P.C.

The aforesaid amount will be invested in some fix deposit scheme by the learned Court below in connection with the present case, which will be subject to the result of the present case.

(Dinesh Kumar Singh, J)

Amrendra/-

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