

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18279 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- BARAULI District- Gopalganj

RAMESH KUMAR aged about 34 years Male, Son of Kedar Prasad Resident
of Village- Gopalganj Ward No. 21, P.S.- Gopalganj, District- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar
For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Barauli P.S. Case No. 11 of 2019 registered under Sections 467, 468, 471, 420, 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per prosecution version that under the orders of the District Magistrate, Gopalganj the informant submitted report for institution of a case against the Panchayat Secretary and Mukhiya of Gram Panchayat Bagheji for committing misappropriation of funds for installation of 20 handpumps in the Panchayat. Learned counsel submits that petitioner is a dealer in hardware goods. Petitioner supplied the



materials for installation of handpumps. The petitioner has no concern with the installation work and in fact he had no role to play in the decision taken by the Mukhiya and the Panchayat Sachiv. It is submitted that petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case whereunder it is the submission of learned counsel for the petitioner that this petitioner is a dealer in the hardware commodities and had only supplied the pipes as per order placed to him and in fact he had no role to play in the decision taken by the Mukhiya and the Panchayat Sachiv with respect to installation of 20 handpumps as also that the Panchayat Sachiv has already been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 10563/2019, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate,
Gopalganj, in connection with Barauli P.S. Case No. 11 of
2019, subject to condition prescribed under Section 438(2)
of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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