

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31618 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- PIRPAINTI District- Bhagalpur

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1. NARAYAN TIWARY Son of Sri Murlidhar Tiwary Resident of Village - Laxmipur, P.S.- Pirpainty, Distt - Bhagalpur.
 2. Vivekanand Paswan @ Bivekanand Paswan Son of Sri Khagesh Paswan Resident of Village - Laxmipur, P.S.- Pirpainty, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Pirpainty P.S. Case NO. 26 of 2019, disclosing offences under Sections 406,409,420,467,468,471/34 of the Indian Penal Code.

It appears from the First Information Report that certain incentive is provided to the beneficiaries under a scheme called "*Lohiya Swachhta Bihar Abhiyan*". Allegedly, parties to the transaction, with the help of hackers by interfering with the soft copy of the advise got huge amount transferred in the account of one Beauty Rani, a co-accused.

Learned counsel appearing on behalf of the petitioners has submitted that they are mere agents and



they did not have any specific role to play in transfer of money in the account of co-accused Beauty Rani. It has been argued that similarly circumstanced Md. Kadir Alam, Ashutosh Kumar and Bijay Kumar have been granted anticipatory bail by this Court by order dated 18.04.2019 passed in Cr. Misc. No. 25053 of 2019.

Considering the above submission, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand)each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Bhagalpur, in Pirpainty P.S. Case No. 26 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

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(Chakradhari Sharan Singh, J)

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