

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53301 of 2018

Arising Out of PS. Case No.-124 Year-2018 Thana- KUMAR KHAND
District- Madhepura

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Nishikant Kumar S/o Naresh Paswan, R/o Vill.- Biliya , P.S.- Shampur,
District- Munger, at present posted as Assistant Accountant (Gramin
Awas), Kumarkhand Block, P.S.- Kumarkhad, District- Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sevak Choudhary, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409, 420, 120B/34 of the Indian Penal Code registered in connection with Kumarkhand P.S. Case No. 124 of 2018.

3. It is submitted that the petitioner is an Assistant Accountant in the office of the Circle Officer and had no role to play in the alleged occurrence. It is submitted that if at all, the decision for grant of benefit to a beneficiary under the Pradhanmantri Awas Yojna lay with the Block Development Officer who has been granted anticipatory bail in Cr. Misc. No. 52427 of 2018. The petitioner though comes into play after the panel of beneficiaries have been prepared and finalised by the concerned authorities. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the



petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. Case No. 124 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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