

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50198 of 2019

Arising Out of PS. Case No.-152 Year-2017 Thana- KAKO District- Jehanabad

SURENDRA PRASAD SINGH @ SURENDRA SINGH Son of Ram Kailash Singh Resident of Village-Sumera, Police Station-Parasi, District-Arawal, the then Panchayat Secretary of Maniyawan Panchayat.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2019 This application, for grant of anticipatory bail, arises out of Kako P.S. Case No. 152 of 2017, disclosing offences under Sections 468, 409, 420/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be Panchayat Secretary of Maniyama Gram Panchayat is that an advance of Rs. 7,06,883/- was issued to him under some Government Scheme but audit report has not been submitted, as such, this case is for temporary embezzlement has been lodged.

Submission of learned counsel for the petitioner is that the audit report clearly shows that the work has now been completed, which will appear from Annexure -2 and he has falsely been made accused in this case. It has also been submitted that other accused persons of this case have already



been granted the privilege of anticipatory bail by coordinate Benches of this Court vide order dated 11.01.2018 passed in Cr. Misc. No. 623/2018, vide order dated 19.02.2018 passed in Cr. Misc. No. 6705/2018 and vide order dated 12.12.2018 passed in Cr. Misc. No. 53475 of 2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Jehanabad, in connection with Kako P.S. Case No. 152 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with further condition that he will cooperate the Investigating Officer and produce the documents before him showing his innocence, otherwise, prosecution is at liberty to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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