

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53926 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- MASAUDHI District- Patna

Rabindra Kumar Chanchal, aged about 55 years (male), S/o Late Sudama Sharma R/o Village- Nima, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Adv.

For the Opposite Party/s : Mr. Nityanand, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Masaurhi P.S. Case No. 197 of 2018 registered under sections 420, 408, 409 of IPC.

The allegation against the petitioner, as per the first information report, alleged by the BDO, Masaurhi that the petitioner as Panchayat Secretary of Devariya and had withdrawn a sum of Rs. 10,49,995/- for execution of different schemes but the same was not utilized by the petitioner.

Mr. Jitendra Kumar Roy, learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case based upon misconceived fact. Learned counsel further submits that the fact of the matter is that the petitioner was given a total sum of Rs. 10,63,495/- for execution of different schemes but on the request of BDO vide letter Memo No. 624 dated 30.03.2017



and 7441 dated 19.04.2017, above mentioned amount were deposited in the account of the panchayat as it would be evident from Annexure-2, which is a letter addressed to the BDO, Masaurhi by the petitioner which is dated 15.06.2017. Learned counsel further submits that it appears that this forwarded letter dated 21.03.2018 was endorsed for registration of FIR against the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that from the Annexure-2 it appears that entire amount of Rs. 10,63,495/- taken by the petitioner for execution of different schemes has been refunded, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Masaurhi, District- Patna in connection with Masaurhi P.S. Case No. 197 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

U			
---	--	--	--

