

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76855 of 2018

Arising Out of PS. Case No.-262 Year-2017 Thana- RAMGARHWA District- East
Champaran

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Shashikant Chaubey, Son of Late Girja Nand Chaubey, Resident of Village-
Sarottar, Police Station- Dumaria, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Sri Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 11-01-2019 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of
Ramgarhwa P.S. Case No.262 of 2017, disclosing offences
under Sections 406,409 and 120B of the Indian Penal Code.

The petitioner, at the relevant point of time, was
posted as Nazir in the Anchal office of Ramgarhwa block in the
district of West Champaran. It is alleged in the First
Information Report that he was absent continuously from
08.08.2017 and that he might have misappropriated the amount
of Rs. 2,19,476/- which was received in Anchal Nazarat as land
rent.

On perusal of the First Information Report, I am of
the tentative view that the allegation do not constitute an offence



under Sections 406/409 of the Indian Penal Code.

Considering the above, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at East Champaran, Motihar in Ramgarhwa P.S. Case No.262 of 2017, 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 petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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