

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67628 of 2019

Arising Out of PS. Case No.-172 Year-2011 Thana- THAKRAHA District- West Champaran

NAWAL KISHORE CHAUDHARY Son of Late Harihar Prasad Chaudhary
Resident of Village - Chanmukha, P.S.- Bochaha, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-11-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Thakraha P.S.Case No.172/2011 , registered for offences punishable under Sections 420 and 406 of the Indian Penal Code.

As per the FIR, allegation against the petitioner and other accused persons is of payment of more amount than the sanctioned amount to the contractor.

Submission of the learned counsel for the petitioner is that he has raised objection but he was directed to take 10 % of the amount of the deed and as per the direction he has paid the amount and the other accused persons including the Executive Engineer have been granted privilege of the



anticipatory bail by a Co-ordinate Bench of this court vide order dated 4.12.2012 passed in Cr. Misc. No.41646 of 2012. Further submission of the learned counsel for the petitioner is that he was not named in that FIR and later on in the year, 2018, it transpired that he was Accounts Clerk.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Ist Bagaha District West Champaran in connection with Thakraha P.S.Case No.172 of 2011, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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