

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76384 of 2019

Arising Out of PS. Case No.-261 Year-2019 Thana- CHANPATIA District- West Champaran

Mohan Sah, S/o Late Bijali Sah R/o village- Shukul Tola, P.S.- Chanpatiya,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Chanpatiya P.S. Case No.261 of 2019, for the offence
punishable under Sections 420, 409/34 of the Indian Penal
Code.

The allegation against the petitioner is that the
petitioner along with others were given a sum of Rs.7,500/- for
construction of toilet but the toilet was not constructed by the
petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in this case on the
basis of false report inasmuch as the toilet, in question, has been
constructed by the petitioner and the informant himself has



granted certificate dated 02.09.2019 to the effect that the petitioner has constructed the toilet from the fund provided to him. The said certificate is annexed as Annexure-2 with this bail application.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the fact that the informant has given the certificate that the petitioner has completed the construction of toilet from the money given to him, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he 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 learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No.261 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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