

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83738 of 2019

Arising Out of PS. Case No.-71 Year-2012 Thana- PARAIYA District- Gaya

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1. JAY KUMAR CHOUDHARY @ JAI CHOUDHARY Son of Late Tileshwar Choudhary Resident of Village - Ramdih, P.S.- Paraiya, Distt.- Gaya.
 2. Rajeshwar Choudhary Son of Late Bitthal Choudhary Resident of Village - Ramdih, P.S.- Paraiya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being the Chairman and Secretary of group of beneficiaries under the Millennium Well Scheme, are apprehending arrest in a case registered for the offences punishable under Section 406/34 of the Indian Penal Code.

It is alleged that the petitioners were given Rs.27,500/- as advance money for construction of pump house under plan No.19 of 1998-99, but neither the construction was done nor the money taken as advance was returned.

It is submitted by learned counsel for the petitioners that the alleged amount has already been deposited by the petitioners



and a certificate to that effect has been issued by the B.D.O., Paraiya which has been brought on record, as Annexure-2 series to the petition.

It is submitted by learned APP for the State that the petitioners are named in the FIR with specific accusation.

Considering the claim of the petitioners that they have deposited the alleged amount and a certificate to that effect has been issued by the B.D.O., Paraiya, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Gaya, in connection with Paraiya P.S. Case No.71 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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