

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5284 of 2020

Arising Out of PS. Case No.-72 Year-2003 Thana- KUMAR KHAND District- Madhepura

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AMOL NARAYAN CHOUDHARY @ ANMOL NARAYAN CHOUDHARY
Son of Late Dasharath Choudhary Resident of Village- Belahi, P.S.-
Bihariganj, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-05-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 409, 406, 420, 120(B), 204, 218, 119 and 34
of the Indian Penal Code.

The prosecution case in short is that the accused persons
caused negligence in his official duty and made excessive payment
in government welfare scheme.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 7.11.2019 and has got no criminal



antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. Due to negligence in duty, an amount of Rs. 69,300/- and odd was paid as the excessive payment. From Annexure-5 to the present application, it is evident that the petitioner had already deposited the amount in question i.e. Rs. 69,300/- before the concerned authority. The petitioner had no intention to make such excessive payment. The same was caused due to mistake on his part.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned A.C.J.M. 1st, Madhepura in connection with Kumar Khand P.S. Case No. 72 of 2003, G.R. Case No. 584 of 2003.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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