

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3913 of 2020

Arising Out of PS. Case No.-98 Year-2018 Thana- MAKER District- Saran

=====

VIRENDRA RAI @ BIRENDRA RAI Son of Ramjanam Ram Resident of
Village - Haijalpur Basantpur, P.S.- Maker, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Saket Tiwary

For the Opposite Party/s : Mr.Umeshanand Pandit

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Maker PS case no. 98 of 2018 registered for the offences punishable under Sections 341, 323, 420, 406, 504, 506/34 of Indian Penal Code.

The allegation is regarding the accused persons having forcibly made the informant, who is a member of ward no. 3, to part with the money deposited in his account under the Chief Minister's *Nal Jal Yojna*, purportedly after making the informant to sign on a blank cheque and thereafter, it is alleged that the agency in question did not complete the work and has misappropriated the amount in question. It is further alleged that the accused persons had then assaulted the informant in order to make him cough off more money.



The learned counsel for the petitioner has submitted that the petitioner has no complicity in the present case, inasmuch as he is the Member Secretary of the *Panchayat* in question and is a Government servant, hence the allegations levelled in the FIR are mainly against the *Mukhia* of the *Panchayat* and his brothers. It is further submitted that the petitioner is having a clean antecedent and being a Government servant, is having deep roots in the society and is not likely to flee away from the ensuing investigation or trial.

Per contra, the learned A.P.P. for the State has submitted that the petitioner is the accomplice of co-accused Mukhia namely Dharmendra Kr. Singh.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner coupled with the fact that the main allegation is upon the *Mukhia* and his brothers, who have already been granted privilege of anticipatory bail by a co-ordinate Bench of this Court dated 18.12.2018 passed in Cr. Misc. no. 69200 of 2018, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-12th, Saran at Chapra in



connection with Maker PS case no. 98 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

