

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6669 of 2020

Arising Out of PS. Case No.-27 Year-2019 Thana- SANHAULA District- Bhagalpur

MANISH KUMAR @ MANISH KUMAR BHATT, Son of Yugal Kishore Bhatt, Resident of Village and P.O. - Sangi @ Sanjhi, P.S. - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritika Rani, Adv.

For the Opposite Party/s : Mr.Dr. Indiwari Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-07-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

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

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 406, 409, 34 of the Indian Penal Code.

Allegation against petitioner is of misappropriation of Rs. 1,87,726/- of United fund of Primary Health Centre, Sanhaula in the District of Bhagalpur.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It



has been further submitted that as per FIR incident took place for the period of 2008-09 but FIR was lodged on 18.02.2019. No material has come in the case diary and supervision report of the Sub-Divisional Police Officer, Kahalgaon, Bhagalpur against the petitioner. Similarly placed co-accused have been granted anticipatory bail by this court as contained in Annexure 2 & 3. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sanhaula P.S. Case No. 27 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/veena

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

