

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9884 of 2020

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

Umakant Dubey Son of Shivpujan Dubey Resident of Village - Ward No. 13,
Tikuliya, P.S.- Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420 and 409/34 of IPC.

The prosecution case is to the effect that the petitioner took advance money of Rs. 7500/- for construction of toilet under Swachh Bharat Mission, but the same has not been constructed.

It is submitted by the learned counsel for the petitioner that the toilet has been constructed and the informant himself has granted a certificate dated 17.09.2019 to the effect that the petitioner has constructed the toilet from the fund provided to him and considering the same, co-accused Mohan Sah has been granted privilege of anticipatory bail by a Co-



ordinate bench of this Court vide order dated 27.11.2019 passed in Criminal Miscellaneous No. 76384 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in FIR with specific accusation.

Considering the certificate issued by the informant with regard to completion of construction of toilet and similarly situated co-accused person being granted privilege of anticipatory bail by a Co-ordinate bench of this Court, coupled with fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Bettiah, West Champaran, in connection with Chanpatia P.S. Case No. 261 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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