

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83782 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- DHIBRA District- Aurangabad

1. KRISHNA PASWAN Son of Ramdev Paswan Resident of Village - Bhaluahi, P.O. - Baluganj, P.S.- Dhibra, Distt - Aurangabad (Bihar)
2. Deepak Yadav Son of Sri Shyamdev Yadav Resident of Village - Bhaluahi, P.O. - Baluganj, P.S.- Dhibra, Distt - Aurangabad (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 11730 of 2020

Arising Out of PS. Case No.-6 Year-2019 Thana- DHIBRA District- Aurangabad

1. RAVINDRA KUMAR @ RAVINDRA RAM Son of Sri Udesb Ram Resident of Village - Pathra, P.S.- Dhibra, District - Aurangabad (Bihar).
2. Surendra Bhokta @ Surendra Bhogta Son of Sri Gaya Bhokta Resident of Village - Chhuchhia, P.S.- Dhibra, District - Aurangabad (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 83782 of 2019)

For the Petitioner/s : Mr.Anirudh Kumar Verma

For the Opposite Party/s : Mr.Parmeshwar Mehta

(In CRIMINAL MISCELLANEOUS No. 11730 of 2020)

For the Petitioner/s : Mr.Anirudh Kumar Verma

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 03-07-2020 Heard learned counsel for the parties.

Both the applications for grant of anticipatory bail arise out of Dhibra P.S. Case No. 6 of 2019 registered for the offence punishable under Sections 406, 409 and 420/34 of the Indian Penal Code.

There is allegation in the First Information Report



lodged on the basis of written report of the Block Development Officer, at the instance of the District Magistrate, Aurangabad, that some of the agencies received huge amount of money for completion of work under “*Ghar Ghar Jal Yogna*” and misappropriated the amount without completing the said work.

Learned counsel appearing on behalf of the petitioners appears to be correct in his submission that the First Information Report does not disclose, as to what amount was misappropriated by the petitioners. The allegation in the First Information Report is so vague, as to constitute an offence of criminal nature.

Learned counsel appearing on behalf of the petitioners also contends that in similar circumstance, this Court has allowed anticipatory bail to co-accused persons by the orders passed in Cr. Misc. Nos. 82961 of 2019 and 83086 of 2019 dated 25.06.2020.

Considering the above, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail 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 C.J.M.,



Aurangabad, in Dhibra P. S. Case No. 06 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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