

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16918 of 2020**

Arising Out of PS. Case No.-63 Year-2018 Thana- AGION (GARHANI) District- Bhojpur

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RAMESH KUMAR @ RAMESH KUMAR RANJAN Son of Radha Govind
Resident of Village-Nahsi, P.S.-Agivaon, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Krishna

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2020

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner apprehends his arrest in connection with Agiwaon P.S. Case No. 63 of 2018 for the offence punishable under Sections 406 and 409 of the Indian Penal Code.

The allegation is regarding the Block Development Officer, Garahani, Bhojpur having informed the Officer-in-charge of the Police Station, Garahani, Bhojpur regarding the



Ex.-Principal having received money for construction of building under the Bihar Education Project, Bhojpur during various financial years, however, the work was not completed, despite the fact that the said Ex-Principal had withdrawn the entire money allotted for the said purpose.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that as far as the petitioner is concerned, he has deposited the amount found recoverable from him and a No Dues Certificate has also been granted by the District Programme Officer, Sarb Siksha Abhiyan, Bhojpur and other officials on 26.12.2019, as is apparent from Annexure-2 annexed to the present petition.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the fact that the petitioner is stated to have deposited the entire amount recoverable from him and has been granted a No Objection Certificate, apart from the fact that he is having a clean



antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioners, above-named, are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Bhojpur, Ara in connection with Agiwaon P.S. Case No. 63 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

Tiwary/-

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