

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73722 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- HARNAUT District- Nalanda

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Dhanraj Singh, aged about- 43 years, sex – male, son of Rampadarath Singh
resident of village- Dhimoyi @ Dhimoy, P.S.- Harnaut (Gokhulpur), District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-03-2020 Heard Mr. Yugal Kishore, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner apprehends his arrest in connection
with Harnaut (Gokhulpur) P.S. Case No. 98 of 2018, registered
for the offence punishable under Sections 420, 406, 409,
120B/34 of the Indian Penal Code, 1860.

The allegation against the petitioner is that petitioner
misappropriated the sum advanced for the purpose of
construction of latrine (शौचालय) for the beneficiaries in
connivance with the beneficiaries and others. The petitioner has
been made accused on the basis of the fact that the petitioner
was the executing agent for the construction of latrine (शौचालय)



under the Government scheme.

Mr. Yugal Kishore, learned counsel appearing for the petitioner referring to Annexure- 2 submits that similarly situated persons, who were also made accused on the basis of being executing agent have been granted bail by the learned court below on the basis of the undertaking given by the similarly situated persons to deposit the security / advanced amount to Government to the tune of Rs. 12,000/-. Learned counsel further submits that petitioner is also ready and willing to deposit the amount of sum of Rs. 12,000/- in the Government treasury as a condition for bail.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner has undertaken to return the security / advanced amount to Government coffer, I am inclined to grant anticipatory bail to the petitioner subject to the condition that petitioner will deposit the security / advanced amount of Rs. 12,000/- in the Government treasury and in case petitioner deposits the aforesaid amount within six weeks and surrender before the learned court below along with proof of deposit of the aforesaid amount, his bail bond shall be accepted.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within



six weeks from the date of receipt of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Harnaut (Gokhulpur) P.S. Case No. 98 of 2018, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

(Anil Kumar Sinha, J)

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