

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76761 of 2019

Arising Out of PS. Case No.-285 Year-2019 Thana- TEKARI District- Gaya

1. Sanjay Kumar Son of Suresh Sharma
2. Manish Kumar Sharma @ Manish Kumar Verma Son of Ram Vinay Singh
Both resident of Village - Jamuara, P.O - Jamuara, P.S.- Tekari, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners are apprehending their arrest in Tekari P.S.
Case no. 285/2019 registered under sections 406 and 409 of the
IPC.

Petitioners are Chairman and Secretary of the
Managing Committee of Ward no. 4 Gram Panchayat Jamuara
in the district of Gaya. There is allegation that they have
withdrawn amount of Rs. 1397500/- though very small work
had been carried out.

Petitioners' counsel draws attention of the court
towards subsequent communication of the informant dated
19.08.2019 wherein he has informed the Block Development



Officer, Tekari, Gaya that the petitioners have after lodging the FIR discharged major portion of work and remaining work is being carried on expeditiously.

In view of such development during the pendency of criminal case, it is submitted that the petitioners may be granted privilege of anticipatory bail so that they may be able to complete the work assigned expeditiously in public interest.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the aforesaid submissions, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VI, Gaya in Tekari P.S. Case no. 285/2019 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.



(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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