

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85585 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- ALINAGAR District- Darbhanga

RAM BINOD CHOUDHARY @ RAM BINOD CHOUHARY, Son of Late Hare Krishna Choudhary, Panchayat Secretary, Resident of Panchayat Narma, Nawanagar, P.S.-Alinagar, District-Darbhangha, Permanent resident of village -Karjapati, P.S-Kamtaul, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 406, 420, 409, 353, 34 of the Indian Penal Code.

Petitioner is the informant, who in his written compliant has alleged that on inquiry it was found that five persons of one family have received Rs. 6,000/- each from relief fund for which they were not entitled, however during investigation police found him to be involvement in embezzlement of relief fund and made him accused.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case



although he is the informant of the case and had instituted F.I.R. against the persons who had fraudulently received the flood relief amount but police on unfounded and unsubstantiated allegation made him accused. Apart from petitioner other persons were also involved in preparation for list of beneficiary. Amount has been refunded.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Alinagar P.S. Case No. 74 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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