

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17730 of 2020

Arising Out of PS. Case No.-199 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

Ramesh Kumar Singh, S/O- Ramdhyan Singh, Residence of Village-
Kulharia, P.S.- Buxar (M), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 04-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Buxar Muffasil P.S. Case No.199 of 2019 registered under sections 420,406/34 of the Indian Penal Code.

As per allegation in the FIR, the accused persons including the petitioner herein who happens to be the Ward Secretary, in spite of having received the sum of Rs.14,28,600/-, did not complete the work for which the said allotment was made within the time of three months fixed.

It is submitted by learned counsel for the petitioner that 90% of the work had been completed before filing of the application itself and as per his instruction remaining work has also been completed. It is submitted by learned counsel for the



petitioner that the amount stated in the FIR was not allotted to him alone but to all the persons named therein. It is submitted that the petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Case diary called for in the case has been received. On perusal of the same, it transpires that although there is repetition of the allegations made in the FIR about work not having been completed by the petitioner and others within the time frame of three months fixed, however there is no statement whatsoever as what amount has been misappropriated by the accused persons including the petitioner.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegation and the material that transpired in course of investigation the Court is inclined to enlarge the petitioner on anticipatory bail.

The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Buxar Muffasil P.S. Case No.199 of 2019 he shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Buxar, subject to the
conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash Narayan /-

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