

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27395 of 2020**

Arising Out of PS. Case No.-32 Year-2020 Thana- JOGAPATTI District- West Champaran

ARBIND THAKUR Son of Late Julum Thakur Resident of Village -
Mahavirpur, P.S.- Yogapatti, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **22-01-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in connection with
Yogapatti Police Station (for brevity, *PS*) Case No 32 of 2020
instituted for the offence punishable under Sections 406, 420/34
of Indian Penal Code.

The prosecution case alleges that the petitioner, who
is a Ward Member, along with the Mukhiya was responsible for
irregularities committed in the execution of Chief Minister
Rural Drinking Water Scheme. Many deficiencies are alleged in
execution of the works on the basis of an enquiry report.

Petitioner's counsel submits that the deficiencies are
very minor in nature. It is further submitted that his implication



is politically motivated. It is specifically stated that the petitioner has no criminal antecedent and that the Junior Engineer of the concerned Department has certified the completion of the work and, therefore, no deficiencies remain.

The learned APP for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in Yogapatti PS Case No 32 of 2020 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

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

(ii) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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