

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27578 of 2020

Arising Out of PS. Case No.-249 Year-2019 Thana- RANIGANJ District- Araria

NAKSHTRA RISHIDEO S/o Late Sukdeo Rishideo Resident of Village-
Kohbara, Bishanpur, Ward No.10, P.S.-Raniganj, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha,Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-02-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Raniganj P.S. Case No. 249 of 2019 registered for the offences punishable under Sections 406, 409, 420, 467, 468, 471, 341, 323, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant in his written report alleged that the accused persons including this petitioner misappropriated the victim's fund of Pradhan Mantri Awas Yojana.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no material showing that the petitioner had misappropriated the amount of the informant. The petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that in course of investigation no material has come suggesting that the petitioner has misappropriated the amount of the informant, Mr. Akhileshwar Dayal, learned APP for the State has after going through the case diary does not point out any material showing that the petitioner has played any role in the alleged misappropriation of the amount, despite repeated query, learned APP says that in the diary there is no material showing that this petitioner had misappropriated the amount of the informant, the petitioner has otherwise no criminal antecedent, let in case of his arrest or surrender petitioner above-named within a period of four weeks from today in connection with Raniganj P.S. Case No. 249 of 2019 be released on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria, subject to the condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

