

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47627 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- BANIAPUR District- Saran

ADHYAKSHA SRI DHANANJAY SHARMA Son of Late Ram Narayan
Sharma Resident of Village - Harpur, Chhatawna, P.S. - Baniyapur, District-
Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2021

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks
after complete start of the physical Court.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 406 of the Indian
Penal Code.

Allegation is of misappropriation of fund of Nal-Jal Yojna,
a scheme of the government.

Submission is that Annexure-3 is report of the Block
Development Officer which would show that rupees sixteen lacs was
allotted for the purpose and rupees eleven lacs eighty-five thousand
was spent for implementation and the remaining amount is still in the
government account. The details of withdrawal of money from the
said account and payment to the concerned is mentioned in the bank
statement at Annexure-2.



Submission is that the FIR was lodged on suspicion by the Panchayat Secretary. Petitioner has got no criminal antecedent.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Baniyapur Police Station Case No. 122 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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