

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48697 of 2021**

Arising Out of PS. Case No.-94 Year-2021 Thana- SIMRI District- Darbhanga

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TARIQUE ANWAR @ TARIK ANWAR S/O MOHAMMAD LATIFUR
RAHMAN R/o village- Arai Birdipur, P.S.- Simri, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Priyanka Singh, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The present matter has been listed out of turn on the mentioning slip filed on behalf of the petitioner stating therein that the petitioner is suffering from heart disease and his mother is an old aged lady and she is also suffering from heart disease. The relevant medical prescriptions have been attached with the mentioning slip filed on behalf of the petitioner. Let the mentioning slip filed on behalf of the petitioner be kept on the record.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.



The petitioner is apprehending his arrest in connection with Simri P.S. case No.94 of 2021 registered under Sections 406, 409, 420, 468/34 of the Indian Penal Code.

Allegation is that the petitioner misappropriated the public money relating to C.M., Gramin Peyjal Nischay Yojana.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner has been made accused due to mistake of fact. As per the allegation, misappropriation of public money has been made in respect of the government scheme relating to C.M., Gramin Peyjal Nischay Yojana. The petitioner is said to be Samvedak of the aforesaid scheme. The allegation alleged against the petitioner is denied by him. It is further submitted that the petitioner is ready to deposit an amount of Rs.3,00,000/- (three lakhs) in the court below, which shall be subject to the final disposal of the case. The petitioner further submits that the amount of Rs.1,50,000/- (one lakh fifty thousand) will be deposited by him within a period of four weeks and the remaining amount of Rs.1,50,000/- (one lakh fifty thousand) will be deposited by him within a period of



another four weeks in the court below. The entire amount deposited by the petitioner shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, **on deposit of a sum of Rs.1,50,000/- (one lakh fifty thousand) in the court below within a period of four weeks which shall be subject to the final disposal of the case,** the petitioner, above named, be released on provisional anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. IV, Darbhanga in connection with Simri P.S. case No.94 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The **remaining Rs.1,50,000/- (one lakh fifty thousand) will be deposited by the petitioner within a period of another four weeks which shall be subject to final disposal of the case.** If the petitioner deposits the entire amount of Rs.3,00,000/- (Three lakhs) in the manner as indicated above in the court below within a period of eight weeks, the provisional anticipatory bail granted to the petitioner shall be confirmed by the court below. If the petitioner fails to do so, the provisional



anticipatory bail granted to the petitioner shall be cancelled by
the court below itself.

(Sudhir Singh, J)

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