

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11061 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- MATIHANI District- Begusarai

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Prem Sagar Mishra S/o Sri Ranjan Mishra Resident of Village- Swarajpur
Road, Gaya, P.S.- Kotwali, Distt- Gaya at present- Posted at B.D.O Rajauli,
Nawada, P.S.- Rajauli, Distt- Nawada, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai, Advocate
For the Opposite Party/s : Mr. Panchanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-11-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
420/406/409/467/468/471/120B/34 of the Indian Penal Code.

The complainant had filed Matihani P.S. Case No.52
of 2019 against the petitioner with identical allegation of
financial embezzlement in the government scheme for
installation of streetlights etc. In that case the petitioner was
allowed anticipatory bail on merit by a coordinate Bench of this



Court vide order at Annexure-12. Similar allegation is there and learned Senior Counsel for the petitioner informs that the complainant was himself one of the members of the purchase committee, as such authorized to give approval for purchase and installation of streetlights. Moreover, he has levelled allegation with malafide intention to harass the petitioner.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the 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 Matihani P.S. Case No.121 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

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



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

(Birendra Kumar, J)

Mkr./-

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