

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1683 of 2022

Arising Out of PS. Case No.-386 Year-2019 Thana- CHHAURADANO District- East
Champaran

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Dhananjay Kumar, Son Of Sri Ram Das Prasad Resident Of Village -
Churaipur, P.S. - Noorsarai, District - Nalanda. At Present Posted As
Panchayat Rojgar Sewak, P.S. - Kalyanpur, District - East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kishore- Advocate
Mr. Anuj Kumar- Advocate
For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 420
and 409 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that the present F.I.R. is being instituted in view of letter
dated 16.11.2019 issued by the District Development
Commissioner, East Champaran, Motihari as during verification
of file no.01/Lok (Panchayat) 56/ 2018 in MANREGA and other
schemes, irregularities and misappropriation of money has been
found and the record of 13 schemes were found missing and the



petitioner is Rozgar Sewak of Gram Panchayat, Raj Juafar is accused of the offence.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner had instituted Complaint Case No.213 of 2019 alleging therein that while he was going to the block with the documents relating to the scheme and with Rs.45,000/- when he was intercepted by the accused persons, who snatched the bag, as such, the entire documents relating to MANREGA scheme was stolen. It is next submitted that even the learned Magistrate after going through the complaint and after examining the witnesses on solemn affirmation has been pleased to take cognizance of the offence under Sections 323, 353, 379, 387, 504, 506 and 34 of the I.P.C. against the accused persons.

The learned counsel thus submits that at least the petitioner has a prima facie defence in his favour with respect to the allegation as alleged in the F.I.R. It is further submitted that the petitioner is a government servant, as such, he will not abscond and will cooperate in the investigation.

The learned Additional Public Prosecutor opposes the anticipatory bail application.



Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chhauradano P. S. Case No.386 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, if any application is filed by the police before the learned trial Court that the petitioner after being released on an anticipatory bail is not co-operating in the investigation, the learned trial Court after recording reasons and being satisfied with the allegation will be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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