

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34833 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- PARBATTIA District- Khagaria

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ASHOK KUMAR SON OF LATE SHIVNANDAN MANDAL Resident of
Village - and P.O.- Mahinath Nagar, P.S.- Beldour, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr.Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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

The petitioner is apprehending his arrest in a case
registered under Sections 406, 409, 420/34 of the Indian Penal Code.

Prosecution case, in short, is that the accused persons
committed an embezzlement of Rs.6,58,750/- in purchasing LED
street lights.

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 been made accused due to mistake of fact. As per the allegation,
LED street lights were to be installed by the Gram Panchayat. The



petitioner is a Panchayat Secretary. The procurement was not made by the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs.1,00,000/- (Rupees One Lac) in the court below, which 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, **the petitioner is directed to deposit an amount of Rs.1,00,000/- (Rupees One Lac) in the court below, which shall be subject to the final disposal of the case. On doing so,** the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Khagaria in connection with Parbatta P.S. case No.76 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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