

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48891 of 2021

Arising Out of PS. Case No.-14 Year-2018 Thana- PANDARAK District- Patna

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KAMESHWAR PRASAD S/O LATE BALESHWAR PRASAD R/o village-
Gopalpur Akopur, P.S.- Cheria Bariarpur, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ansul, Advocate
	:	Mr.Anuj Kumar, Advocate
For the Opposite Party/s	:	Md.Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 12-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case in which final form has been submitted as recorded in paragraph '3' of the anticipatory bail application and the informant alleges that in Gram Panchayat Darwa Bhadour in the 14th Finance Schemes, government money has been defalcated without doing work by the Panchayat Secretary, then Mukhiya and the petitioner who is Junior Engineer.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the work had to be executed by the contractor at the behest of local Mukhiya and the petitioner was only a Junior Engineer. It is further submitted that the entire work has been done and if the petitioner would have been asked to explain, he would have definitely done so. Entire investigation was conducted behind his back and as such no opportunity was given to him to explain his side of the story. It is next submitted that the petitioner being a government servant will not abscond. The similarly situated co-accused has been granted anticipatory bail vide order dated 09.04.2021 passed in Cr. Misc. No. 37483 of 2020.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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, 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 the learned court below where the



case is pending/successor court in connection with Pandarak
P.S. Case No. 14 of 2018 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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