

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53737 of 2021**

Arising Out of PS. Case No.-186 Year-2020 Thana- TURKAULIYA District- East
Champaran

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BABAN THAKUR @ BABHAN THAKUR SON OF LATE RAMJANAM
THAKUR @ RAMJANM THAKUR R/O VILLAGE- SEMRA HAT (WARD
NO.12), P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

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

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Turkauliya P.S. Case no. 186 of 2020 instituted for the
offence under Sections 409, 188/34 of the Indian Penal Code.

Prosecution case relates to defalcation of government
money by the petitioner which was provided to him to complete
the work under the scheme of Nal-Jal Yojna to which he has not
completed.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner has completed the entire work which was



allotted to him which is apparent from measurement book, which was prepared by the Junior Engineer of Banjariya Block, East Champaran, which is annexed as Annexure-3 series to the petition.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Turkauliya P.S. Case no. 186 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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