

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71225 of 2021

Arising Out of PS. Case No.-103 Year-2021 Thana- NIRMALI District- Supaul

1. SWASTIKA DEVI Wife of Shatrudhan Prasad Resident of At- Nirmali, Ward No. 09, Nagar Panchayat Nirmali, P.S. and Circle - Nirmali, District - Supaul.
2. Sanjay Kumar Son of Ram Chandra Paswan Resident of At- Nirmali, Ward No. 09, Nagar Panchayat Nirmali, P.S. and Circle - Nirmali, District - Supaul.
3. Ram Krishna Kumar Son of Chandra Prakash Sinha Resident of At- Pratham Tala, Sonu Bhawan, Near Brahmdeo Bhawan, Purandrapur, P.S. - Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 420/34 of the Indian Penal Code.

As per the prosecution case, petitioners are alleged to have purchased C.F.L. bulb at inflated price and caused loss of Rs. 3,84,000/- to the Government.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. Petitioner No.1 is Chief Councilor and petitioner No.2 is Nazir- cum-Head clerk of Nagar Panchayat and petitioner No.3 is supplier. It is further submitted that petitioners have already deposited the alleged defalcated amount and in support of the submission Annexure-11 has been annexed, which is a letter written by the then Chief Executive Officer, Nagar Panchayat, Nirmali to the Deputy Development Officer, Supaul regarding depositing the required amount.

Learned counsel appearing for the State vehemently opposes the prayer for anticipatory bail.

Considering the facts of the case and the nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Nirmali PS case No. 103/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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