

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14694 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- CHORAUT District- Sitamarhi

NAVIN KUMAR MISHRA Son of Palat Mishra R/v- Kokan, Ward No. 5,
Choraut East, P.S.- Choraut, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-06-2023 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.

The informant alleges that petitioner being the Ward Sachiv along with other co-accused has withdrawn Rs. 17 lacs related to Jal Nal Yojna but the work has not been completed, as such, the amount has been defalcated.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is further submitted that being Ward Sachiv it was not his duty to get the work completed



rather the money was transferred in the account of the Mukhiya and it was the duty of the Mukhiya to get the work implemented, it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that informant does not allege that no work was done rather alleges that work was not completed, it is next submitted petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the investigating officer.

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 trial court 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 trial court where the case is pending/successor court in connection with Choraut P.S. Case No. 134 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the investigating officer of



the case files an application before the learned Trial Court that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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