

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42530 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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RAMESH GANDHI S/o Late Jag Narayan Prasad Proprietor M/s Bindhya
Agency at Bindhya Bhawan, Dariyapur Gola, Patna, P.S. Gandhi Maidan,
Dist. Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Civil Surgeon-Cum-Member Secretary, District Health Society, East
Champaran, Sadar Hospital Campus, East Champaran, Motihari, P.S.
Motihari Town, Dist. Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Pratap

For the Opposite Party/s : Mr. Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 09-08-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 409, 420,
120B of the Indian Penal Code.

3. The informant alleges that for supply of medicines
in the district, advance money was given to 10 medical agencies
including the medical agency of the petitioner but the 10
medical agencies including the petitioner's were proprietors of
M.S. Bindhya Agency did not return the money after deducting
the money of the medicine which was supplied by them and
thus they have misappropriated the government's money.

4. Learned counsel for the petitioner submits that the



petitioner is a person with clean antecedent.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it is the case of accounting for which the matter ought to have been dealt administratively and no criminal case was required to be instituted.

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

7. 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 Motihari Town P.S. Case No. 493 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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