

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57577 of 2023

Arising Out of PS. Case No.-597 Year-2022 Thana- GAURICHAK District- Patna

1. Munni Devi, W/O- Indal Chaudhary V
2. Vineshwar Prasad @ Bindeshwar Prasad son of Late Hemanth Prasad
Both are resident of village- Barawan, P.S.- Gaurichak District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 20-09-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners apprehend their arrest in connection with Gaurichak P.S. Case No. 597 of 2022 dated 05.09.2022 registered for the offence(s) punishable under Section(s) 409 and 420 of the Indian Penal Code.
3. The main submissions advanced by the learned counsel for the petitioners are that both the petitioners have fair and clean antecedent and petitioner no.1 is at present Ward Member-cum-President of Ward No.7 and petitioner no. 2 is present Ward Secretary of Ward No.7 and as per the allotment the petitioners were bound to complete Gramin Payjal Nishchay Yojna and Nali Gali Nischay Yojna and according to the



entrustment, they completed their work and in this regard the copy of inquiry report annexed as Annexure-2 may be perused, though some work related to the said scheme have been shown as incomplete but the petitioners were not bound to complete the same, as the said work was entrusted to others. Further submission is that several co-accused persons, similar carrying nature of allegation, have been granted anticipatory bail by different benches of this court vide orders passed in Cr. Misc. No. 23821 of 2023 and Cr. Misc. No. 43292 of 2023 and as per the conclusion made by the inquiry officer, which is mentioned in Annexure-2, no offence as alleged is made out against the petitioners.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions as well as the inquiry report discussed above and the privilege of anticipatory bail having been granted to co-accused persons mentioned above, this court is inclined to accept the bail prayer of the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Gaurichak P.S. Case No.



597 of 2022 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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