

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64291 of 2023

Arising Out of PS. Case No.-31 Year-2022 Thana- NTPC District- Patna

Pinku Kumar, aged about 40 years (Male), Son of Paras Rajak, R/o Ward No. 8, Raily, P.S. - NTPC, Distt. - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with N.T.P.C. P.S. Case No. 31 of 2022 dated 01.04.2022 registered for the offence punishable under Sections 409 and 420 of the I.P.C.

4. As per the prosecution case, Rs. 14,80,038/-was transferred in the account of the managing committee of ward for the execution work in Ward No. 8 under the 'Jal-Nal Yojna Scheme'. A Technical Assistant informed that the Chairman and



Panchayat Schiv have only did the work of Rs. 9,91,810/-. According to the bank statement, the rest amount has been defalcated.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that from perusal of the impugned order, it appears that the rest work has already been completed and the rest amount has also already been deposited by the petitioner. Similarly situated co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 9266 of 2023 under order dated 20.06.2023 annexed as Annexure- 2 to the bail petition. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned,



Barh, Patna in connection with N.T.P.C. P.S. Case No. 31 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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