

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.73168 of 2022**

Arising Out of PS. Case No.-121 Year-2019 Thana- MUFFASIL District- Aurangabad

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UMESH PAL SON OF SAHADEV PATEL BHAGAT R/O VILL.- AZAD  
BIGHA, P.S.- AURANGABAD (MUFFASIL), DISTT.- AURANGABAD  
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

4      27-04-2023                      Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered  
for the offence punishable under Section 406, 409, 420, 353/ 34  
of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged  
to have misappropriated the advance given against Mukhya  
Mantri Nischay Yojna.

Learned counsel appearing for the petitioner submits  
that petitioner is innocent and has falsely been implicated in the  
case due to village politics. It is further submitted that at the  
relevant time petitioner was Ward Secretary of Management  
Committee of concerned Panchayat and there is no allegation  
that he misappropriated any amount. Moreover the work



entrusted to the petitioner has already been completed and certificate to that effect has already been issued by the Circle Officer. Petitioner has got clean antecedent.

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

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his 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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Muffasil) PS case No. 121/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

**(Prabhat Kumar Singh, J)**

BKS/-

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