

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74374 of 2022**

Arising Out of PS. Case No.-258 Year-2022 Thana- ADAPUR District- East Champaran

SACHIN KUMAR CHOUBEY S/O BINOD CHAUBEY Resident of village-  
Ward No- 09, P.S.- Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                      |
|----------------------------|----------------------|
| For the Petitioner/s :     | Mrs.Rashmi Jha       |
|                            | Mr. Abhishek Kumar   |
| For the Opposite Party/s : | Mr. Parmeshwar Mehta |

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

2      24-03-2023                      Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 420, 409/34 of the Indian Penal Code.

As per F.I.R., this petitioner, who is proprietor of M/s Janki Enterprises, and two other persons namely Ashish Kumar Mishra (the then B.D.O.) and Lalbun Nesha (Block Head) have withdrawn Rs. 54,64,809/- from the government account for completing several work, but defalcated the government money.

It is submitted on behalf of petitioner that the petitioner has already returned advance payment of Rs. 41,84,543/- and co-accused Akash Kumar has also deposited Rs. 2,07,500/-. Thus, total Rs. 43,92,043/- has already been deposited in the government account and remaining work of Rs.



10,72,766/- has already been completed, which is evident from letter no. 501 dated 08.09.2022 issued by the Block Development Officer, Adapur, East Champaran (Annexure -2). Petitioner has got clean antecedent.

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

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned S.D.J.M., Raxaul, Motihari, District – East Champaran in connection with Adapur P.S. Case No. 258 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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