

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8450 of 2024

Arising Out of PS. Case No.-483 Year-2019 Thana- GAURICHAK District- Patna

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DASRATH DAS @ DASRATH RAVIDAS Son of Mahendra Rabidas
Resident of Village-Chamar Dih, P.S.-Gaurichak, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 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 406, 409,
420, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner, being Ward Member of Ward No. 14, has been falsely
implicated in the present case by the Panchayat Secretary. It is
also submitted that petitioner is a person with clean antecedent
and allegation against him is that he did not complete the work
for which money was allotted in his account as detailed in the
FIR. It is next submitted that from perusal of Letter No. 278
Dated 29.11.2022 issued by the Block Panchayat Raj Officer-
cum-Executive Officer, Fatuha, it would manifest that he has



addressed a letter to the learned Additional District Judge-1, Patna City recording therein that the work for which the money was allotted has been completed.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it absolutely does not stand to reason that the moment an FIR is instituted, a report comes that the work has been completed, but then it is submitted that the investigation is still going on. At this stage, the learned counsel for the petitioner submits that the petitioner will not abscond rather will co-operate in the investigation.

5. 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 Gaurichak P.S. Case No. 483 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the



learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

7. It is further made clear that in the event if the police after investigation submits the charge sheet connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

8. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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