

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17729 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- HATHAURI District- Muzaffarpur

Kaushal Kishor Singh son of Late Asharphi Singh Village- Bangra Po-
Mutlupur Ps- Piyaar Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhay Kumar, Panchayat Secreary, Grram Panchayat Raj Sahilaballi Block-
Aurai dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arinjay Kumar , Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-05-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 406, 407, 408 , 409, 166(a), 420 and 120(B) of the Indian Penal Code .

3. As per the prosecution case , the petitioner was posted as Panchayat Secretary and he along with other co-accused persons has misappropriated Government money , which was to be used for the development work of the concerned Panchayat, amounting to Rs. 13,09920/- .

4. It is submitted on behalf of the petitioner that at the



relevant time petitioner was Panchayat sachiv and he has falsely been implicated in this case . Now , he has already superannuated from the aforesaid post. However, learned counsel for the petitioner submits that without admitting the allegation at this stage he is ready to deposit the amount of **Rs. 3, 50,000/- (three lacs fifty thousand)** in installments.

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate , Muzaffarpur in connection with Hathauri P. S. Case No. 216 of 2023 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioner shall deposit Rs. 3, 50,000/- (three lacs fifty thousand) through Bank Draft/cash in the Nazarat of Civil Court, Muzaffarpur at the time of furnishing bail-bond.

(ii) The aforesaid payment shall be subject to the final outcome of the case .

(iv) If petitioner does not abide by the aforesaid directions, the learned Court below is at



liberty to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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