

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37021 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- SHEOHAR District- Sheohar

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Amit Kumar, SON OF BHAIRAV PRASAD @ BARAVI PRASAD R/O
VILLAGE- NAYAGAON, P.S.- SHYAMPUR BHATHA, DIST- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-09-2024 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 offence under Sections 120(B), 409, 420 of the Indian Penal Code.

3. It is alleged that this petitioner along with other co-accused persons defalcated government money, which was allotted under different schemes of the State Government.

4. Learned counsel for the petitioner submits that at the relevant time, petitioner was VLW-cum-Contractor, Sheohar Block and has been made accused in this case without any evidence. He further submits that Joint Committee has submitted its report in haste and without proper examination. Similarly situated co-accused, who was posted as Panchayati



Raj Officer, has already been granted anticipatory bail by this Court, vide order dated 22.05.2024 passed in Cr.Misc. No. 33372 of 2024. However, without admitting the allegation made in the F.I.R., the petitioner is ready to deposit Rs. 10,00,000/- (Rupees ten lacs) in easy installments in the Nazarat of the Civil Court, for which, learned A.P.P. for the State does not oppose.

5. Considering the aforesaid facts and circumstances, 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, Sheohar in connection with Sheohar P.S. Case No. 292 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit Rs. 2,50,000/- (Rs. Two lacs & fifty thousand) in the Nazarat of Civil Court, Sheohar.

(B) Rest amount i.e. Rs. 7,50,000/- (Rs. Seven lacs & fifty thousand) shall be deposited in the Nazarat of Civil Court, Sheohar in four installments within a period of six months from the date of furnishing bail-bond.



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

(D) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. It is made clear that aforesaid order has been passed, without going into the merit of the case, only for the purpose of considering the prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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