

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47249 of 2024

Arising Out of PS. Case No.-328 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Mohammad Ahmadullah @ Ahmadullah @ Md. Ahmadullah Son Of
Rahmatullah Village- Indarwan Abadullah, Ps- Gopalganj Town, Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-08-2024 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 offence punishable under Sections 420, 409 of
the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that altogether an amount of Rs.1887900/- was allotted
for Mukhyamantri Saat Nischaya Yojna with respect to Ward
No.14 of Gram Panchayat Raj Indrawan Abadullah. It is further
alleged that an amount of Rs.17,50,000/- was withdrawn for
water connection of 150 houses, but connection was given only
to 47 houses, as such, the accused persons including the



petitioner misappropriated the government money.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case. It is next submitted that the petitioner resigned as member of Ward No.14 on 15.03.2019 i.e. prior to the work commenced. It is further submitted that the petitioner was neither involved in withdrawing the amount and since he has resigned as such even the work which commenced in the ward had nothing to do with the petitioner. It is also submitted that petitioner will not abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Court below 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 Gopalganj Town P.S. Case No.328/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. 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 his notice that the 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 cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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