

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26277 of 2015

Arising Out of PS.Case No. -65 Year- 2014 Thana -NAUTAN District- SIWAN

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1. Bachha Rai S/o Late Ram Bichar Rai Resident of village - Balwa
Mathiya, P.S. Darouly, Distt. - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Pd Singh No.1

For the Opposite Party/s Mr. Aditya Narayan Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 24.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

It would appear that on the basis of direction issued by this
court in a writ petition, an enquiry team was constituted and it was
found that petitioner being panchayat secretary defalcated Rs 4, 51,
600/- in different schemes.

The contention on behalf of the petitioner is that, as a matter
of fact, work of the concerned scheme was stopped due to objection
raised by one Umesh Kumar Mishra, who later on, filed writ petition
before this court. It is further pointed out on behalf of the petitioner
that much prior to institution of the present case, petitioner deposited
Rs 3/- lakhs and odd which is evident from annexure 2 series to this
petition. It is further contended by him that remaining amount was
spent in purchasing of hand pipes and moreover, petitioner is ready to
deposit remaining amount.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Ist Class, Siwan in Nautan P.S. Case no. 65/2014 subject to condition that remaining amount shall be deposited by the petitioner within four months from the date of his release with the concerned authority and shall produce receipt of the above stated deposit before the concerned court. Failure on the part of the petitioner shall give liberty to the concerned court to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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