

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49865 of 2014

Arising Out of PS.Case No. -54 Year- 2014 Thana -KOCHADHAMAN District- KISANGANJ

1. Dinesh Kumar Ganesh Son of Late Hari Prasad Ganesh Resident of Village - Mullabari, P.S. - Dighalbank, District - Kishanganj, At present posted as a Panchayat Rojgar Sevak (PRS), Gram Panchayat Sontha, P.S. - Kochadhaman, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.44083 of 2014

Arising Out of PS.Case No. -54 Year- 2014 Thana -KOCHADHAMAN District- KISANGANJ

1. Md. Imtiyaz Ahmad S/o Md. Noorul Hoda Noor resident of village- Birnagar, (Mangrahi), P.S.- Bhargama, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.49865 of 2014)

For the Petitioner/s : Mr. Sarangdhar Jha, Adv.

For the Opposite Party/s : Mr. A.Dayal (APP)

(In Cr.Misc. No.44083 of 2014)

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

For the Opposite Party/s : Mr. Ram Chandra Singh (APP)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-03-2015 Cr.Misc.No. 49865/2014 wherein Dinesh Kumar Ganesh is the petitioner and Cr.Misc.No. 44083/2014 wherein Md. Imtiyaz Ahmad is the petitioner, have been heard analogously and are being disposed of by a common order as they arise out of Kochadhaman P.S. Case No. 54/2014.

Heard learned counsel for the petitioners as well as learned APP for the State.

On account of irregularities committed by the petitioners including others during course of execution of

MANREGA Scheme, it has been detected that petitioners along with others have siphoned Rs. 28,512/- on account of withdrawal of the amount against dead persons.

It has been fairly submitted on behalf of petitioners that withdrawal of amount against the dead persons happens to be the matter of trial, however, for the present, petitioners are ready to deposit Rs. 28,512/-, subject to the condition that such deposit should not be considered adverse to the petitioners during course of trial.

Learned APP objected and submitted that mere deposit of amount does not exonerate the petitioners from criminal liability.

Be that as it may, after deposit of Rs. 28,512/-, both the petitioners, namely, Dinesh Kumar Ganesh and Md. Imtiyaz Ahmad are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Ranjeet Kumar, Judicial Magistrate, 1st Class-Kishanganj/successor in the office in connection with Kochadhaman P.S. Case No. 54/2014 in the event of their arrest/surrender within four weeks subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Aditya Kumar Trivedi, J)

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