

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34792 of 2014

Arising Out of PS.Case No. -139 Year- 2013 Thana -PIPRA District- EAST CHAMPARAN
(MOTIHARI)

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1. Hardeo Rout S/o Late Saryug Rout R/o Village Khairimal, P.S. Pipra, District East Champaran, Motihari.
 2. Sundari Devi @ Sundar Devi W/o Bhagirith Paswan R/o Village Khairjagir, P.S. Pipra, District East Champaran, Motihari.
 3. Ganesh Ram S/o Late Bujhawan Ram R/o Village Jamuniya, P.S. Pipra, District East Champaran, Motihari.
 4. Sheo Kali Devi W/o Bhadhu Manjhi R/o Village Khairimal, P.S. Pipra, District East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 18-02-2015 Heard both sides.

The petitioners, four in number, apprehend their arrest in a case registered under Section 409 and other sections of the Indian Penal Code.

The informant alleged that Panchayat Sachiv, Mukhiya and Raghunath Prasad and Kishore Kumar defalcated eighteen lakhs of rupees meant for distribution amongst the farmers under the Crop Insurance Scheme.

It is submitted that the petitioners are not named in the F.I.R. The petitioners are the members of Panchayat Samiti. The distribution of money under the Crop Insurance Scheme is



upon the Vigilance Committee of the village. Mukhiya and Panchayat Sachiv are primarily responsible for distribution of money. It is further submitted that Urmila Devi (Mukhiya) and Kameshwar Hajara (Panchayat Sachiv) have already been enlarged on anticipatory bail on the ground that they have deposited Rs. 90,600/-. It is further submitted that the members of the Panchayat Samiti, namely, Kishore Kumar and Raghunath Prasad have also been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 11299/2014 and Cr. Misc. No. 12604/2014 on the ground that the Mukhiya and the Panchayat Sachiv were granted anticipatory bail.

Considering the facts that the petitioners are members of the Panchayat Samiti but they were not named in the F.I.R. and the allegation is primarily against the Mukhiya and the Panchayat Sachiv, who have already been enlarged on anticipatory bail, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Motihari in Pipra P.S. Case No. 139/2013, subject to

the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

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(Prabhat Kumar Jha, J)