

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25566 of 2015

Arising Out of PS.Case No. -32 Year- 2013 Thana -SONEPUR District- SARAN

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1. Jitu Choudhary son of Hira Choudhary resident of Village- Shahpur
Diyara, P .S.- Sonepur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2015

Heard learned counsels for the petitioner

and the State.

Petitioner being Panchayat Mukhiya is apprehending his arrest in a case registered for the offences punishable under Sections 409, 420, 34 of the Indian Penal Code.

The accusation against the petitioner is of installing sub-standard solar lights for the financial year 2007-09, as a result most of the solar lights have not been found in the working condition.

It is submitted by learned counsel for the petitioner that solar lights were installed in the year 2007-09 for which the First Information Report has been registered in the year 2013. The F.I.R has been lodged after proper enquiry but it does not reflect that how much money the petitioner has misappropriated. This reflects the casual manner in which the

F.I.R has been lodged and the enquiry has been conducted. Moreover Smt. Siya Devi the other Panchayat Mukhiya has been granted bail vide Cr. Misc. No. 1997 of 2014 on deposit of Rs. 39,500/-.

Considering the aforementioned facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for three months 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, Saran at Chapra in connection with Sonapur P.S. Case No. 32 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below confirm the provisional bail of the petitioner on deposit of the actual amount of misappropriation alleged against the petitioner.

(Dinesh Kumar Singh, J)

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