

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14113 of 2015

Arising Out of PS.Case No. -242 Year- 2014 Thana -BIBHUTIPUR District- SAMASTIPUR

1. Ram Kumar Paswan Panchayat Secretary Bhuswar Panchayat P.S.
Bibhutipur, Resident of village- Bhore Jay Rampur, P.S.- Khanpur, District-
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 21-05-2015

This is an application for grant of anticipatory
bail on behalf of petitioner above named who is apprehending his
arrest in connection with Bibhutipur P.S. Case No. 242 of 2014
for the offences punishable under sections 409/420/477(A) of the
Indian Penal Code.

The petitioner has not moved this Hon'ble Court
either for grant of regular bail or anticipatory bail herein before.

Allegedly the petitioner being Panchayat
Secretary has not distributed pension amount in respect of Social
Security in the Camp. At the time of distribution the amount was
deposited as advance by the Nazir. The B.D.O was also deputed
who was also present and after distribution receipts were given

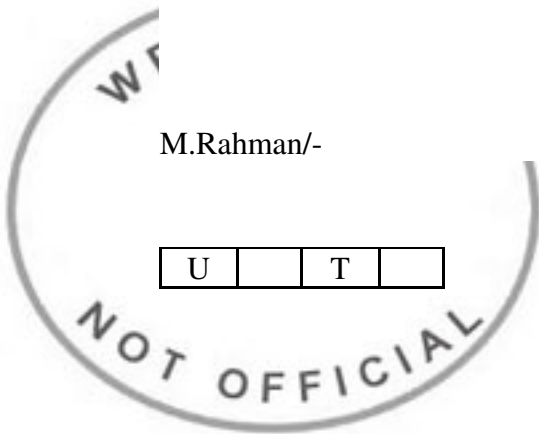


by Panchayat Secretary which was produced by Nazir and Head Clerk and during course of posting it was found that there was some wrong in the receipt and it reveals that excess amount was paid and the petitioner was called and he only provide one register and then Nazir was informed and the petitioner was directed to submit the register but he did not submit the said register and then the petitioner confessed his guilt in presence of Mukhiya.

Submission is of false implication and that in paragraph 20 it has come that the total advanced amount has already been deposited by the petitioner and as such the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes.

Considering that as all the advanced amount has already been deposited by the petitioner and no loss has been caused to the State exchequer as such the above named petitioner in the event of his arrest or surrender before the court below within a period of two months from the date of receipt/production of a copy of this order be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate, Rosera in Bibhutipur P.S. Case No. 242 of 2014, subject to the

conditions as laid down under section 438(2) Cr.P.C.



(Jitendra Mohan Sharma, J)