

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35770 of 2014

Arising Out of PS.Case No. -48 Year- 2013 Thana -HARLAKHI District- MADHUBANI
=====

Basant Kumar Jha, S/o Late Dayanand Jha, Resident of village- Rahika,
P.S.- Rahika, District- Madhubani

.... Petitioner

Versus

The State of Bihar

Opposite Party

Appearance :

For the Petitioner : M/s Yogesh Chandra Verma, Sr. Advocate &
Kripa Nand Jha, Advocate

For the State : None

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 11-02-2015

I have heard learned counsel for the petitioner. None
appears on behalf of the State.

The petitioner, who is Panchayat Sewak of Nahrانيا
Panchayat, apprehends his arrest in connection with Harlakhi
P.S. Case No. 48 of 2013 registered for offences punishable under
Sections 406, 409, 420, 467, 468, 471/34 of the Indian Penal
Code.

As per the allegation the petitioner along with the
Mukhia of Nahrانيا Panchayat has shown forged payment in
favour of a dead person in Scheme No. 07/2010-11 of Rs. 18875/-
, in Scheme No. 9/2010-11 of Rs. 1875/-, and in Scheme No.
10/2010-11 Rs. 19375/-.

Learned counsel for the petitioner submits that the
work was taken by the tractor of the concerned dead person not

by the dead person and payment has been made to his son.

Since the allegation is that the petitioner and the Mukhia has defalcated Rs. 40,125/-. However, learned counsel for the petitioner undertakes that he is ready to deposit the half of the amount, i.e., Rs. 20,063/- in the court below.

Having regard to the facts and circumstances of the case, let the petitioner, namely Basant Kumar Jha, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Harlakhi P.S. Case No. 48 of 2013, on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhubani subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure with a further condition that the petitioner would be required to deposit the half of the alleged amount which comes to the tune of Rs. 20,063/- before the court below as per his undertaking and such deposit would be subject to the final result of the case concerned and without prejudice to the case of the petitioner.

(Dr. Ravi Ranjan, J)

Spd/-

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