

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26845 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -DHANSOI District- BUXAR

=====

1. Safi Mohammad S/o late Jan Mohammad, resident of Village- Atrauna,
P.S- Itarhi, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

For the Opposite Party/s : Mr. Rajendra Pd.Nat(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner being a Panchayat Secretary is apprehending arrest in a case registered for the offences under sections 409, 420 and 34 of the Indian Penal Code.

It is alleged that on the order of the District Magistrate, an enquiry was conducted by the B.D.O. with regard to the purchase of solar lights, where it was found that Rs.6,88,860/- has been embezzled by the Mukhiya and the Panchayat Secretary.

It is submitted by learned counsel for the petitioner that the purchase was made in the year 2006-07 and the solar lights were installed in the year 2007-08. The direction for purchase of solar lights from Breda or Beltron was issued on 22-2-2010, and the petitioner has already retired. Moreover, similarly

situated co-accused Panchayat Secretary Ram Prayag Singh has been granted anticipatory bail by this Court-vide order dated 26-2-15 in Cr.Misc. No. 7559 of 2015.

Considering the fact that F.I.R. has been lodged in the year 2014 with regard to the purchase of solar lights made in the year 2006-07 and installed in 2007-08, and the fact that the petitioner has already retired, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Buxar, in connection with Dhansoin P.S. Case No. 121/2014, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

B.Roy/-

U			
---	--	--	--