

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51239 of 2015

Arising Out of PS.Case No. -244 Year- 2011 Thana -BISFI District- MADHUBANI

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1. Amit Kumar Aman, Son of Yugat Lal Yadav, resident of Village-
Dudhaila, Police Station- Andhramath, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Prasad Singh, Advocate

For the Opposite Party/s: Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 08-12-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 406, 409 and 120B of the Indian Penal Code.

A complaint was filed stating that in execution of
different schemes, Mukhiya and Panchayat Secretary committed
illegalities and work has not been done in accordance with the
prescribed standard of the scheme.

Mr. Ramchandra Prasad Singh, the learned counsel
for the petitioner, submits that petitioner is Panchayat Rojgar
Sevak. He is not named in the FIR. During the course of
investigation Dy. S. P. found that the petitioner was executing
agent of scheme No. 3/2010-2011 for construction of drainage of
380 feet from the house of Nasim to the house of Habibul. During
the course of investigation, it was found that the drainage was

built but the entire drainage was not covered and it was covered up to 355 feet. The width should be 3" but the same was found 2 ½". It is further alleged that 25 feet of drainage was not covered. The learned counsel for the petitioner informs that the drainage cover has already been built and the drainage is likely to be covered. Mr. Ramchandra Prasad Singh, the learned counsel for the petitioner, submits that entire drainage would be covered within two months.

Considering the fact that initially no illegality was found in the execution of work and the petitioner accepts that he did not cover drainage up to 25 feet but he undertakes to cover the same within two months, the above named petitioner, in the event of his 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in Bisfi (Patauna) P.S. Case No. 244 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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