

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41283 of 2015

Arising Out of PS.Case No. -157 Year- 2015 Thana -JOKIHAT District- ARRARIA

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1. Rubail Sangram Hembram @ Ruel Sangram Hembram son of Late Patras Hembram resident of village- Oli Tola Ward No. 12, Police Station-K. Hat, District- Purnea, the then Panchayat Secretary of Gram Panchayat Raj Kakan and Dubba, Police Station- Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-10-2015 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner being the Panchayat Secretary is apprehending his arrest in a case registered for the offences punishable under Sections 406, 409, 467, 468, 471, 420 of the Indian Penal Code.

The prosecution case is that the petitioner while posted as Panchayat Secretary in Panchayat Raj Kakan and Dubba was given Rs. 51,97,000/- as an advance of Social Security Scheme for distribution, out of which Rs. 46,83,200/- were distributed amongst the beneficiaries, but the petitioner did not distribute Rs. 5,13,800/- nor deposited the same in spite of direction of the District Magistrate.

It is submitted by the learned counsel for the

petitioner that the petitioner is ready to deposit Rs. 5,13,800/- before the appropriate authority within a period of four months. Though statement to that effect has not been made in the petition. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for five month in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No. 157 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below after submission of proof by the petitioner that he has already deposited Rs. 5,13,800/- before appropriate authority.

(Dinesh Kumar Singh, J)

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