

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8158 of 2015**

Arising Out of PS.Case No. -184 Year- 2014 Thana -Simari  
District- Buxar

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Sri Surendra Mallah @ Surendra Prasad Mallah Son of Sri  
Ram bachhan Prasad, Resident of Village - Ahirauli, P.S. -  
Buxar (I), District - Buxar.

..... Petitioner/s  
Versus

The State of Bihar

..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Amitesh Kumar(APP)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
ORAL ORDER

2      02-03-2015                      Heard both sides.

The petitioner apprehends his arrest in  
Simari P.S. Case No. 184/2014 registered for the  
offences punishable under Section 420, 406, 409,  
120B/34 of the Indian Penal Code.

The Block Panchayati Raj Officer alleged  
that the petitioner being Panchayat Sevak and other  
elected members of Panchayat purchased Solar  
Lamps from the company other than the company  
earmarked by the State of Bihar and thereby the  
petitioner and others committed illegality and  
defalcated the government money.

Learned counsel for the petitioner  
submits that the petitioner is a Panchayat Sevak. The

Solar Lamps were purchased in pursuance of the resolution passed by the Gram-Sabha of Gangauli Panchayat. Tender was issued. Solar lights were purchased from the company which offers minimum price. A direction for purchasing Solar Lamps from BREDA or Beltron was issued in the year 2010 and purchases were made prior to that date.

Considering the facts and circumstances, the petitioner, in the event of his arrest or surrender before the 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 only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Simari P.S. Case No. 184/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Rajeev/-

**(Prabhat Kumar Jha, J.)**

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