

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4545 of 2015

Arising Out of PS.Case No. -139 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

Saraswati Devi Wife of Ram Chandra Singh Resident of Village -
Majharia, P.S. - Buxar (Ind.), District - Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.5870 of 2015

Arising Out of PS.Case No. -139 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Lal Sahab Kahar @ Lal Saheb Kahar @ Lal Sahab Khar, Son of Late Ramyash Kahar Resident of Vill + P.O - Dsalsagar, P.S- Buxar, Industrial Area, Distt- Buxar.
2. Vijay Paswan Son of Late Jangli Paswan Resident of Village - Vreshar Burgaj, P.O- Barka Mansik Patti, P.S- Buxar industrial Area - Distt- Buxar.
3. Baban Singh Son of Sheo Nath Singh Resident of Village - Marchakiya, P.O- Unwash, P.S- Itarhi, Distt- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.4545 of 2015)

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Rajesh Kumar (App)

(In Cr.Misc. No.5870 of 2015)

For the Petitioner/s : Mr. Vijay Shankar Upadhyay

For the Opposite Party/s : Mr. Gajendra Prasad Yadav (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

3 26-05-2015 Both the applications arises out of Buxar Industrial Area

P.S. Case No. 139 of 2014 registered under section 409 and other

sections of the Penal Code and as such they are being disposed of

by this common order.

Heard counsel(s) for the petitioners and learned APP for the State.

In between 2009 to 2009, certain funds were allotted to different Gram Panchayats for purchase of solar lights. In the year 2014, the present FIR has been lodged alleging therein that the solar lights were purchased other than the agency earmarked by the government smacking of financial irregularity. The petitioners of these applications are either erstwhile Mukhiya(s) or erstwhile/serving Panchayat Secretaries of different Gram Panchayats.

It is stated that petitioners have falsely been implicated and there is inordinate delay in lodging the FIR. Other accused persons of the present case(s), having identical allegations, have been granted the privilege of anticipatory bail. Web copies of the order dated 27.01.2015 and 28.01.2015 passed in Cr. Misc. Nos. 3298 and 3693, both of the year 2015, have been handed in which are taken on record and marked 'X and Y' respectively.

In view of aforesaid, in the event of arrest/surrender within four weeks from today, petitioners abovenamed in both the case shall be released on bail on furnishing bail bonds of Rs. 10,000/- each, with two sureties of the like amount each, to the

satisfaction of Chief Judicial Magistrate, Buxar in connection with Buxar (Ind.) P.S. Case No. 139/2014 on condition that one of the bailors of each of the petitioners shall be their own/close family members. They shall appear on each date fixed at the trial. Failure in appearance on two consecutive dates shall entail cancellation of their bail bonds.

(Kishore Kumar Mandal, J)

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