

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30210 of 2015**

Arising Out of PS.Case No. -41 Year- 2013 Thana -NAYAGAON District- BEGUSARAI

Rajeev Kumar

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Asha Kumari (App)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      04-08-2015      Heard learned counsel for the petitioner and  
learned counsel for the State.

The petitioner apprehends his arrest in connection with Nayagoan P.S. Case No. 41 of 2013 registered for the offences punishable under Sections 406, 408 and 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant is the Ex-Mukhia, who had served a term prior to 2012-2013. It has been alleged by him that the Mukhiya namely, Smt. Sindu Devi, Balapur – 1, Panchayat had defalcated the amount for settling solar light in collusion with the Panchayat Sevak and the supplier. The petitioner, herein is said to be the supplier, who according to the informant, was not authorized to give supply. It has further been alleged that the Mukhiya had embezzled the government funds after preparing forged documents with the help of Panchayat Sevak

and the supplier. Learned counsel for the petitioner further submits that the petitioner after having received orders, made the supply and the said solar light has been found to be in working conditions. Thus, the petitioner cannot be attached with the element of criminality, as has been alleged and the District Technical Officer has given the report in his favour. The payments were thus made in his favour.

Considering the aforesaid submissions and the nature of allegation, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate, 1<sup>st</sup> Class, Begusarai in connection with Nayagoan P.S. Case No. 41 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

**(Anjana Mishra, J)**

Jagdish/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|