

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55189 of 2015

Arising Out of PS.Case No. -182 Year- 2015 Thana -PALASI District- ARRARIA

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1. Prakash Mandal Son of Late Panchanand Mandal Resident of Village-
Urlaha, P.S. Palesi, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-12-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Palasi P.S. Case No.182 of 2015 for the offences punishable under
Sections 420, 406/34 of Indian Penal Code.

The petitioner along with some others are charged with
misappropriating the amount released in favour of the informant
under the Indira Awas Yojana.

Mr. Manish Kumar learned counsel for the petitioner with
reference to the F.I.R. has submitted that for the fund released in
the year 2013 the petitioner is being charged with
misappropriation when this informant herself has opened her
account only on 11.1.2014. He further with reference to a

representation of another woman by the same name as the informant i.e. Bibi Fatima and having an identical name of her husband Nasimuddin submits that she has accepted to receive the amount under the Indira Awas Yojana. He thus submits that until such time that there are materials to show that the petitioner has misappropriated the amount released in favour of the informant, the allegation has no foundation. He further submits that the petitioner has no criminal antecedent.

Having heard learned counsel for the parties, considering the materials on record and the circumstances existing, let the petitioner namely, Prakash Mandal in the event of his arrest/surrender within four weeks from today, be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Araria, in connection with Palasi P.S. Case No. 182 of 2015 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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