

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45747 of 2014

Arising Out of PS.Case No. -306 Year- 2014 Thana -ARARIA District- ARRARIA

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1. Bijendra Jha Son of Late Bhoganand, Resident of Village - Jamua, P.S. - Wadabari, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 18-02-2015

Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 409 and 420 of the I.P.C

Allegedly during enquiry with respect to the construction of Aganbari Centre under M.S.D.P. Scheme in the Araria Block it was detected that the then Block Development Officer, Araria, Junior Engineer, Araria, the then Project Assistant and others have defalcated the huge government money as the second and third advance money was given without making any entry in the measurement book and most of the projects have not been completed or not on the site. The petitioner at the relevant time was Panchayat Secretary and he was entrusted eight project works and has taken advance money of Rs. 19,00,000/-.

Submission is of false implication and that the

petitioner has completed work as per advance money. The petitioner without any fault is suffering in custody since 30.08.2014. In this case charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Araria in Araria P.S. Case No. 306 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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