

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49928 of 2014

Arising Out of PS.Case No. -210 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Rajeshwar Paswan S/o Sri Chhabila Paswan @ Chhabila Ram R/o Village Barki Sanaidiya, P.S. Arrah (Mufassil), District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.8669 of 2015

Arising Out of PS.Case No. -210 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Awadhesh Prasad S/o Ram Ratan Prasad Resident of Vill- Tilarh, P.O. Devchandra , P.s.- Piro, Dist. Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.13015 of 2015

Arising Out of PS.Case No. -210 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Awadh Bihari Singh Son of Ramdhari Singh Resident of Village- Kurmuri, Police station- Sikrahatta, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.17040 of 2015

Arising Out of PS.Case No. -210 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

1. Smt. Yasmine Khatoon wife of Ibrar Zama, resident of village- Chakia, P.S.- Ara Muffasil, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.49928 of 2014)

For the Petitioner/s : Mr. Amrendra Narayan Rai

For the Opposite Party/s : Mr. Sanjay Kr.Pandey(App)

(In Cr.Misc. No.8669 of 2015)

For the Petitioner/s : Mr. Rama Kant Singh

For the Opposite Party/s : Mr. Md. Aslam Ansari (App)

(In Cr.Misc. No.13015 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Bharat Lal(App)

(In Cr.Misc. No.17040 of 2015)

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-05-2015 As all these cases arise out of the same police station case number, they have been heard together and are bang disposed of by this common order.

The petitioners are apprehending their arrest in connection with Arrah Muffasil P.S.Case No. 210/2014 instituted under Sections 406, 409, 420 and 34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that as per direction of the District Magistrate, Bhojpur, vide letter no. 1667, dated 10.9.2014 the irregularity committed in installation of Solar light in the Gram Panchayats were inspected. In course of inspection it was found that the solar lights were installed against the direction of the government and accused persons ignored standard quality of Breda and they purchased the solar lights on

higher price thus they have misappropriated the government money in purchasing inferior quality of solar lights against the quality of Breda.

It has been submitted on behalf of the petitioners that petitioner in Cr. Misc. No. 49928/2014 is the Mukhiya of Gram Panchayat and he has falsely been implicated in the case as there is no laches on his part in respect to the installation of the solar lights.

So far petitioner in Cr. Misc. No. 8669 of 2015 is concerned, it has been submitted that the petitioner is a Panchayat Secretary and he has also been falsely implicated in the present case as to when there has been no irregularity committed by him in respect to the present case.

So far petitioner in Cr. Misc. No.13015 of 2015 is concerned, he is also a Panchayat Secretary and he has also falsely been implicated in the present case with ulterior motive as at the time of occurrence he was not posted in the said Gram Panchayat.

So far as petitioner in Cr. Misc. No. 17040 of 2015 is concerned, he is the Mukhiya. Further it has been submitted that he has also been falsely implicated in the case out of political rivalry .

It is further submitted that none of the petitioners have criminal antecedent except petitioner Rajeshwar Paswan, who is involved in one case in which he is also on bail.

On behalf of the State it has been submitted that the petitioners are named in the FIR and specific allegation has been against them.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Arrah, in Arrah Muffasil P.S. Case No. 210/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

Each petitioner is directed to deposit an amount of Rs. 20,000/- (twenty thousand) in the court below, which shall be subject to the final result of the present case.

(Sudhir Singh, J)

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