

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2209 of 2015

Arising Out of PS.Case No. -35 Year- 2013 Thana -JOKIHAT District- ARRARIA

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1. Sadique Alam S/o Mobinul Resident of Village Masuria, Police Station
Mahalgaon, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

7 29-06-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as also heard learned
counsel, appearing for the informant.

The petitioner apprehends his arrest in connection
with Jokihat P.S. Case No. 35 of 2013 registered for the offence
under Sections-406, 409, 420, 467, 468, 469, 471/34 of the Indian
Penal Code.

The petitioner was Ex-Mukhiya and the present
case has been lodged by the present Mukhiya. Admittedly, the
scheme, in question, was sanctioned in the year, 2011 and the
present case was lodged after three years of the above-said
scheme.

Learned counsel, appearing for the petitioner

submits that the concerned scheme was sanctioned by the Assistant Engineer and as a matter of fact, the aforesaid scheme was of Rs. 1,95,600/- which is evident from perusal of Annexure-2 of the supplementary affidavit. It is further pointed out by him that the petitioner has already deposited Rs. 50,000/- in the light of order dated 29-01-2015 and moreover, the work of repairing was done in Panchayat Bhawan three years ago.

Learned counsel, appearing for the informant submits that even if, it is assumed that the scheme was of Rs. 1,95,600/- then also, no work was done.

Considering the aforesaid facts and circumstances as well as submission of the parties, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Jokihat P.S. Case No. 35 of 2013 to the satisfaction of Chief Judicial Magistrate, Araria subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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