

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16780 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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Gopal Krishnan son of Sri Ram Charan Prasad then Panchayat Technical Assistant (P.T.A), Balrampur Prakhand, P.S. - Balrampur (Telta), District - Katihar, At present Block Development Officer (B.D.O.), Forbesganj, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shailendra Kumar Verma

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case under Sections 467, 468, 420, 409, 471 of the Indian Penal Code.

The Dy. Development Commissioner, Katihar ordered an enquiry and during the course of enquiry it was found that no tree was planted under Yojna Nos. 01, 03 & 05/2011-12. The petitioner was a Panchayat Technical Assistant of those Yojnas. It is submitted that trees were planted but upkeep of the trees was to be done under different stages but the department did not take proper care of the plants. Audit was done during the relevant period. No illegality was found. All the trees were found to be planted immediately after the scheme. The enquiry was made after three years. It has come during the course of investigation

that the witnesses have stated that trees were planted but due to lack of upkeepment, the trees became dead.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 Md. M. Alam, Judicial Magistrate, 1st Class, Katihar in Balrampur P.S. Case No. 138/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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