

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12753 of 2015

Arising Out of PS.Case No. -100 Year- 2013 Thana -ATRI District- GAYA

1. Devanand Prasad Son of late Ambika Prasad , Poste Master at Maula Nagar, Post Office, Police Station - Atari, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.15530 of 2015

Arising Out of PS.Case No. -100 Year- 2013 Thana -ATRI District- GAYA

1. Ajay Prasad son of Nand Kishore Prasad resident of village - Bahorama, Police Station - Atari, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.12753 of 2015)

For the Petitioner/s : Mr. Sanjay Kr. Sinha

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

(In Cr.Misc. No.15530 of 2015)

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Satyendra Pd.(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 22-05-2015 Both the above-said petitions arise out of Atri P.S.

Case No. 100 of 2013 registered under Sections-420, 406, 467,

468, 471/34 of the Indian Penal Code and, accordingly, both the

above-said petitions are being heard and disposed off by this

common order.

Heard learned counsels for the petitioners and learned Additional Public Prosecutor for the State.

The petitioner in Cr. Misc. No. 12753 of 2015 was the headmaster whereas; the petitioner in Cr. Misc. No. 15530 of 2015 was the Mukhiya at the relevant time.

The accusation against these petitioners is that they fraudulently, withdrew the amount of Manrega, which was meant to be paid to the beneficiaries of the aforesaid scheme.

Learned counsel, appearing in Cr. Misc. No. 12753 of 2015 submits that the only duty of the petitioner was to get opened an account of beneficiaries on the basis of advice, given by the concerned person. Learned counsel, appearing in Cr. Misc. No. 15530 of 2015 submits that the present case has been instituted at the instigation of one, Ramapati Devi who happens to be Sarpanch and prior to institution of the present case, she had filed several other cases against the petitioner in Cr. Misc. No. 15530 of 2015 and several others and after due investigation, the aforesaid cases were found untrue. It is further contended by him that several beneficiaries have already sworn affidavit to this effect that they had received the wages of Manrega scheme.

Considering the facts and circumstances of the case as well as submission of the parties, let the petitioners named

above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Atri P.S. Case No. 100 of 2013 to the satisfaction of Md. S. Q. H. Rizvi, Judicial Magistrate-Ist Class, Gaya subject to conditions as laid down u/S 438(2) of the Code of Criminal Procedure.

A.K.V./-

(Hemant Kumar Srivastava, J)

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