

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43352 of 2015**

Arising Out of PS.Case No. -111 Year- 2014 Thana -SAHAR District- BHOJPUR

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Awadhesh Prasad, Mukhiya Baruhi Panchyat son of Late Karu Prasad,  
resident of village- Bazria, Police Station- Sahar, District- Bhojpur (Arrah)

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      14-10-2015                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks pre-arrest bail in connection with  
Sahar P.S.Case No.111 of 2014 registered under Sections 406 and  
420 of the Indian Penal Code.

The petitioner, who was the Panchayat Secretary of the  
Panchayat Baruhi in the district of Buxar, allegedly, he in  
collusion with the Mukhiya of the said Gram Panchayat diverted  
the funds meant for Anganbari to purchase the solar light.

Learned counsel for the petitioner has submitted that  
even on the basis of the FIR, no case is made out that the  
petitioner misappropriated any amount for his personal use.

Learned counsel for the State has opposed the prayer for

bail. However, he does not dispute the fact that the petitioner has not misappropriated the money.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the above named 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 learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Sahar P.S. Case No.111 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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