

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6717 of 2015

Arising Out of PS.Case No. -98 Year- 2014 Thana -JAMHORA District- AURANGABAD

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Nitish Kumar, Son of Late Keshwar Rajak, Resident of Village- Kateya,
P.O.- Jai Govind Nagar Makhra, P.S.- Jamhor, District- Aurangabad
(Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. A.L.Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 26-02-2015 Heard the learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody since 19.12.2014 in a case
registered for the offence punishable under Sections 406, 409,
420, 468 and 471/34 of the Indian Penal Code.

It is alleged that there is defalcation of Rs. 10,00,000/-
by the accused persons including the petitioner.

It is submitted that it appears that Rs. 10,00,000/- was
provided under different schemes of the government. The
petitioner has nothing to do with the scheme of the government as
the petitioner is neither the Mukhiya nor the executant of the
scheme. The Mukhiya and the Panchayat Sachiv are the persons,
who are responsible to spend the money. Moreover, it appears

from the report submitted by the committee that major part of the work has been done and there is only difference of measurement. The petitioner has no criminal antecedent.

Considering the facts and circumstances of this case, 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 the learned Additional Chief Judicial Magistrate, Aurangabad in connection with Jamhor P.S. Case No. 98 of 2014 with the following conditions:

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J.)

Vats/-

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