

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12949 of 2015

Arising Out of PS.Case No. -15 Year- 2011 Thana -NATHNAGAR District- BHAGALPUR

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Bijay Kumar Das, Son of late Kanhai Das, Resident of village –
Maniyarpur, P.S. Nathnagar (Madhusudanpur), District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. M.Rab (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 01-04-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
29.01.2015 in a case registered for the offences punishable under
Sections 409 and 420 of the Indian Penal Code.

It is alleged that in Scheme No. 03/2006-07
Community Hall under Ambedkar Chaupal was constructed by the
petitioner being the Panchayat Mukhiya. The enquiry was
conducted by the Block Development Officer, Nathnagar, the
same is the part of the FIR, which reflects that the construction
was found satisfactory, but construction was made adjacent to the
courtyard of the petitioner, hence, it was basically used for
personal purposes. For the scheme of 2006-07 the slumber of the

administration broke in 2011. The report of the Block Development Officer does not suggest any defect in the construction. So far as the selection of place of construction is concerned, the Block Development Officer cannot absolve himself of the same, moreover, no objection with regard to selection of place of construction when construction was going on.

Considering the report of the Block Development Officer particularly the delayed lodging of the FIR, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 15 of 2011.

(Dinesh Kumar Singh, J)

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