

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42488 of 2015

Arising Out of PS.Case No. -138 Year- 2013 Thana -BANKA District- BANKA

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1. Gurudeo Panjiyara son of Late Jagdish Panjiyara
2. Chandrashekhar Panjiyara @ Chunnu Panjiyara, Son of Bhujangi Panjiyara, Both residents of village- Chuitya, P.S.- Banka, District- Banka
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Sunil Kr. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 07-12-2015 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 406/34 of the Indian Penal Code.

The present Panchayat Secretary of Gram Panchayat, Karma, namely, Sheo Shanker Thakur and Panchayat Secretary of Jamua Panchayat, Ayodhya Sah, alleged that Rs. 2, 32, 299/- of Karma Panchayat and Rs. 13, 35, 397/- of Jamua Panchayat were ordered to be kept in Chutiya PACS but Rajendra Manjhi, the then Panchayat Secretary, also showed the aforesaid amount in the handing over of charge. It was ordered that the amount should be kept in the Nationalized Bank or any Regional Rural Bank. No specific allegation is made against the petitioners but in the last paragraph of the FIR it is alleged that the then Panchayat Secretary, PACS Chairman, Gurudeo Panjiyara, Manager,

Chandrasekhar Panjiyara, the petitioners, and both the Mukhiya defalcated the amount.

It is submitted that ex-Mukhiya, Kaushlaya Devi, has already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 38633 of 2013 and it was the responsibility of Rajendra Manjhi, the then Panchayat Secretary, to keep the money in the Bank. Rajendra Manjhi did not hand over the money either to anybody else including the petitioners.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their 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, are 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 the learned Chief Judicial Magistrate, Banka in Banka P.S. Case No. 138 of 2013, 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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