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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6825 of 2016
Arising Out of PS.Case No. -89 Year- 2013 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Veer Bahadur Ram S/o Ganga Ram, resident of Village- Rajandih, P.S.- Rajpur, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Shakir Ahmad(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 23-05-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in jail custody since 29.09.2015 in connection with Nasriganj (Rajpur) P.S. Case No. 89 of 2013 registered for the offences punishable under Sections 406, 409, 419 and 420 of the Indian Penal Code.

The prosecution case, in brief, is that as per the audit report dated 31.03.2013, petitioner, the then Panchayat Rojgar Sewak, Rajpur Panchayat, who has since been removed from service, has withdrawn excess amount allotted for MGNREGA scheme and has not submitted bills and vouchers to the extent of Rs. 7,59,000/-as such, alleged to have defalcated the said amount.

It has been submitted by the counsel for the petitioner that all the amounts were withdrawn through joint signature of the

petitioner and the Mukhiya and the allegation that petitioner has defalcated the money is false and baseless. He submits that the bills and vouchers are subject to reconciliation and the Mukhiya has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 18403 of 2015 on 18.09.2015 on similar allegation.

However, learned A.P.P. for the State submits that the petitioner is alleged to have withdrawn and not reconciled Rs. 7,59,000/-, as indicated in the audit report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bikramganj in connection with Nasriganj (Rajpur) P.S. Case No. 89 of 2013.

(Nilu Agrawal, J.)

Arjun/-

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