

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6357 of 2016

Arising Out of PS.Case No. -293 Year- 2014 Thana -JOKIHAT District- ARRARIA

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Ashok Kumar Mandal @ Ashok Mandal son of Late Resamlal Mandal,
Resident of Village- Bagnagar, P.S.- Mahalgaon, Distt- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate with
Mr. Dhananjaya Nath Tiwari, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-04-2016

Heard both sides.

The petitioner seeks bail in a case under Sections
409,420, 120B of the Indian Penal Code.

It is alleged that the petitioner, the then Panchayat
Secretary, Jokihat, withdrew an advance of Rs. 48,13,900/-
towards pension under Samajik Suraksha Yojana but he did not
distribute the same amongst the beneficiaries nor did he adjust the
said amount. It is submitted that the prayer for bail of the
petitioner was earlier rejected by this Court vide order dated
25.03.2015 passed in Cr. Misc. No. 6803 of 2015 with a direction
to the trial court to conclude the trial within nine months but even
after lapse of more than a year, not even a single witness has been
examined. The petitioner is in jail since 01.09.2014. It is further
submitted that the petitioner was also accused in another case

pertaining to defalcation of more than one crore but the petitioner furnished papers showing no defalcation. The petitioner has already been enlarged on bail in that case vide order passed in Cr. Misc. No. 320 of 2014.

Considering the facts aforesaid and the fact that the petitioner is in jail for one and half years and even after direction the trial has not proceeded and not even a single witness has been examined, the above named petitioner is 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 Sub Divisional Judicial Magistrate, Araria in Jokihat P.S. Case No. 293 of 2014.

(Prabhat Kumar Jha, J)

Dilip/-

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