

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52853 of 2015

Arising Out of PS.Case No. -285 Year- 2014 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Ram Bahadur Singh, son of Late Punarvansh Singh, resident of village and Post Office- Budhwal, Police Station- Karakat (Gorari), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav

For the Opposite Party/s : Mr. Uday Chandra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Dehri Town P.S. Case No. 285 of 2014 registered for the offence punishable under Section 409 of the Indian Penal Code.

Allegedly, the petitioner being Panchayat Secretary of Panchayat Dahaur in Dehri Block misappropriated Rs. 2,07,500/- in the construction work of Anganwadi Centre, amount of Rs. 12,08,300/- under Old Age Pension Scheme and further amount of Rs. 19,250/- under the head of General Advances i.e. total Rs. 14,35,350/-.

Submission is of false implication and miscalculation, the petitioner has completed the work up to plinth of the building



and further purchased the materials of Rs. 1,00,000/- for construction of the building but he was transferred, resulting the work was not completed, regarding misappropriation in old age pension, vide annexure-2, which is certificate granted by the Block Development Officer, the amount of Rs. 6,92,700/- has already been deposited and as such the petitioner is ready to deposit the balance amount in installment which comes to rupees five lacs and odd.

Learned APP on the other hand submits that the petitioner being the government servant has misappropriated huge amount.

In the facts and circumstances stated above, petitioner above named is directed to deposit Rs. 6,00,000/- in the government account of Dahaur Panchayat under Dehri Block in three equal monthly installments and on deposit of first installment of Rs. 2,00,000/- he is directed to be released on provisional bail on execution of bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sasaram in connection with Dehri Town P.S. Case No. 285 of 2014 and after deposit of rest two installments his provisional bail shall be confirmed by the court below itself, subject to the conditions that one of the bailors

must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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