

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3908 of 2016

Arising Out of PS.Case No. -320 Year- 2014 Thana -JOKIHAT District- ARRARIA

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1. Ashok Kumar Mandal, Son of Late Resamlal Mandal, Resident of
Village- Bagnagar, P.S.- Jokihat, Distt.- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate.
Mr. D.N. Tiwari, Advocate.

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-03-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 409, 420 and 120 B of the I.P.C

Allegedly, the petitioner and co-accused Yogendra
Prasad Manjhi took advance of Rs. 66,29,000/- and Rs.
1,22,93,200/- for the distribution amongst the beneficiaries under
Samajik Suraksha Pension Yojana for the year 2012-2013 and
2013-2014 respectively but the said amount was not adjusted.

Submission is of false implication and that the
petitioner was the Panchayat Sachiv and he was entrusted to
distribute pension to the beneficiaries of Palasi Block under the



Samajik Suraksha Pension Yojna and he distributed the same to the beneficiaries and submitted report to the Block Officer, Jokihat Block in the month of July, 2014 but the then B.D.O. did not adjust the same, the petitioner is in possession of receipt from the Nazir of the Block, the dispute is for accounting, it appears that the petitioner took advance of Rs. 1,11,93,200/- out of which Rs. 42,96,000/- has been adjusted and the pending amount has been shown against the petitioner as Rs. 68,97,200/- and it makes the prosecution case doubtful, without any proper calculation and accounting this case has been lodged resulting the petitioner is suffering in custody since 09.10.2014, against the petitioner earlier also three cases have been filed, he is on bail in Fulkaha P.S. Case Nos. 26 of 2013 and 33 of 2013.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering custody of the petitioner and further his submission that he is in possession of receipt from the Nazir of the Block and as such now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M. Araria in Jokihat P.S. Case No. 320 of 2014, 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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