

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4604 of 2016

Arising Out of PS.Case No. -10 Year- 2013 Thana -JOKIHAT District- ARRARIA

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Balram Prasad son of Chedi Mandal, resident of village- Lalpatti, Police
Station- Pipra, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Pranav Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 03-02-2016

Heard learned counsels for the petitioner
and the State.

The petitioner being the Ex-Panchayat
Secretary of Chainpur Masuria Gram Panchayat is apprehending
his arrest in a case registered for the offences punishable under
Sections 467, 468, 469, 420, 406 and 409/34 of the Indian Penal
Code.

The prosecution case is that the petitioner
being the Panchayat Secretary and the Panchayat Mukhiya
withdrew Rs.5,17,000/- through different cheques for the
execution of the Scheme Nos. 01/2009-10 and 02/2001-10 but

the work was not come to end.

It is submitted by learned counsel for the petitioner that after three years of the execution of the scheme the FIR has been lodged with political vendetta and the Panchayat Mukhiya has been granted anticipatory bail on the ground when the Jansewak on the direction of the BDO inspected the place and found the work being done when the I.O. in collusion with the informant recorded that no work was done. Panchayat Mukhiya has been granted anticipatory bail vide Cr. Misc. No. 2770 of 2015 on 29.06.2015. Though, the petitioner is accused in two other cases but it is submitted that both the cases have been lodged by the same informant.

Considering the delayed lodging of the case, nature of irregularity alleged after three years of the execution of the scheme and similarly situated co-accused Sadique Alam, Panchayat Mukhiya has been granted anticipatory bail by a co-ordinate Bench of this Court, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial

Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S.
Case No. 10 of 2013, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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