

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8228 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -KHAIRA District- JAMUI

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Kapildeo Singh, Son of Rih Narayan Singh, resident of village - Jhundo,
P.S. Khaira, District - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-02-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, who is a Panchayat Secretary of Gram
Panchayat Raj Kageshwar, Block Khaira, District Jamui,
apprehends arrest in connection with Khaira P.S. Case No. 274/15
for offences alleged under Sections 409, 420, 120-B of the Indian
Penal Code.

Complaint Case No. 267C/14 was lodged by the
complainant Biresh Ram, who claims to be a social worker, has
been lodged for defalcation of Rs. 3,90,600/- sanctioned for
construction of Samudaik Bhawan under BRGP Scheme. The
allegation is that the petitioner who is Panchayat Sachiv along
with Mukhiya has embezzled the aforesaid amount.

Learned counsel for the petitioner submits that the petitioner is a public official and had all along submitted the details of expenses incurred in construction work and maintained proper books of account and the informant being a rank outsider cannot implicate the petitioner in the aforesaid case. Learned counsel for the petitioner further submits that petitioner has clean antecedent, as is evident from paragraph 3 of this petition.

Learned APP for the State, however, submits that the petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, since the allegation against the petitioner has not been alleged by any Government authorities, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Jamui, in connection with Khaira P.S. Case No. 274/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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