

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46984 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -NAWANGAR District- BUXAR

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Vikash Kumar Singh, S/o Late Subash Singh R/o Village- Dihri, P.S.-
Nawanagar, Dist- Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Nawanagar (Sonbarsa) P.S. Case no. 83 of 2016, registered under
Sections 420 and 406 of the Indian Penal Code.

The accusation is that in the financial year 2012-14, Rs.
10,70,000/- (Ten Lakh Seventy thousand) was sanctioned for
construction of Godown of Mania PACS. The petitioner being the then
chairman, PACS withdrew three installments of Rs. 9,63,000/- for
construction of Godown, but construction work was done only upto
roof, while roof is also to be completed as such petitioner
misappropriated the money.

Learned counsel for the petitioner submits that it would
appear from the F.I.R. that after withdrawal of Rs. 9,63,000/- out of
sanctioned amount Rs. 10,70,000/- by the petitioner work of
constructed Godown was to be completed upto roof, but only



construction of wall has been completed upto roof. Further submission is that petitioner undertakes to complete the construction of roof also within three months to the satisfaction of the competent authority i.e. District Co-operative Officer, Buxar.

Having regard to the facts and circumstances of the case and the submission made on behalf of the petitioner, let the above named petitioner, be released on provisional bail for a period of 03 months, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar, in connection with Nawanagar (Sonbarsa) P.S. Case No. 83 of 2016 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below on submission of certificate regarding the completion of construction work upto roof of Godown from the competent authority i.e. District Co-operative Officer, Buxar, if the petitioner fails to furnish the said certificate within three months, the trial court will cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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