

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37691 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -SAHAR District- BHOJPUR

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1. Birendra Kumar Sinha son of Ram Chandra Sharma resident of Village - Ekwari, Police Station - Sahar, District - Bhojpur, Ara, Retired Panchayat Secretary, Gram Panchayat - Karbasin, Sahar Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 11.11.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State assisted by learned counsel for the informant.

Petitioner seeks bail in a case registered under sections 406,420, 467, 468 and 471 of the Indian Penal Code.

Petitioner was working as Panchayat secretary and allegedly, he withdrew near about Rs 30/- lakhs by making forgery and cutting in cheques.

Submission on behalf of the petitioner is that the present case was lodged by the Mukhiya of the concerned Panchayat and, as a matter of fact, aforesaid Mukhiya, himself, committed the present occurrence and got implicated the petitioner who superannuated from service on 31.7.2015.

On the other hand learned counsel appearing for the

informant as well as learned Addl. Public Prosecutor opposed the prayer submitting that in course of investigation, present panchayat secretary as well as other witnesses have supported the prosecution case and it is not in dispute that more than Rs 30/- lakhs had been withdrawn from the government account.

Regard being had to the facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sahar P.S. Case no. 133/2015 pending in the court of the Chief Judicial Magistrate, Bhojpur at Ara stands rejected.

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(Hemant Kumar Srivastava,J)

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