

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5337 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -KAARAMCHAT SAHAYAK District-
BHABHUA (KAIMUR)

- =====
1. Nawrang Chero, Son of Ram Bachan Chero
 2. Prabhu Chero, Son of Nawrang Chero, both residents of Village - Baradih, Police Station - Karamchat, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 26-02-2016

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners, who are the then President and Secretary respectively in an Inner Embankment Committee at District level of the Integrated Welfare Project, Kaimur at Bhabhua, apprehend arrest in connection with Karamchat P.S. Case No. 40/15 for offences alleged under Sections 406, 420/34 of the Indian Penal Code.

The prosecution case, as lodged by the Development Officer of the said Project, is that the petitioners were given Rs. 6,63,000/- for various projects under the Inner Integrated Welfare Project, Kaimur at Bhabhua but the said money has been misappropriated by these petitioners.

It has been submitted by the learned counsel for

the petitioners that petitioners have utilized all the money in welfare projects, as shown by them, which has to be reconciled by the authorities concerned. It has further been submitted that the allegation of misappropriation of money is a civil liability which is subject to accounting and no overt act has been committed regarding embezzlement of the said funds and they are ready to show utilization of said funds to the concerned authorities.

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

Be that as it may, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Karamchat P.S. Case No. 40/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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