

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29165 of 2016

Arising Out of PS.Case No. -230 Year- 2012 Thana -BALIA District- BEGUSARAI

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1. Ram Padarath Paswan (Ex. Panchayat Sachiv Gram Panchayat Permanandpur), S/o Late Jai Ram Paswan, resident of village - Azad Nagar, Bachhwara, P.S. Bachhwara, District - Begusarai.
 2. Ram Nandan Paswan (Ex Panchayat Sachiv Gram Panchayat Bhagatpur), S/o Ram Prakash Paswan R/Vill. Sanjat, P.S.- Bhagwanpur, Distt Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 20-08-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Ballia P.S. Case No. 230 of 2012, disclosing offences under Sections 467, 468, 472, 420, 406, 409 and 120B/34 of the Indian Penal Code.

The petitioners, at the relevant point of time, were working as Panchayat Secretaries of Gram Panchayat Permanandpur and Bhagatpur.

It is alleged that they executed certain work of installing solar light and hand-pumps from the amount allotted to

the Panchayats under 13th Finance Commission's recommendation. It is further alleged that they did so on the basis of letters dated 31.05.2011 and 07.02.2011 purported to have been issued by the Chief Executive Officer, Zila Parishad, Begusarai, which were subsequently found to be fabricated.

Learned counsel for the petitioners appears to be right in his submission that the allegations made in the First Information Report may constitute irregularities committed in the matter of installation of Solar Lamps etc. in the Gram Panchayat but no case of misappropriation of any amount has been alleged.

Considering the submission as above, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 230 of 2012, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may

be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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