

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35392 of 2016

Arising Out of PS.Case No. -482 Year- 2014 Thana -KISHANGANJ District- KISANGANJ

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Ganesh Mandal, Son of late Sakshi Mandal, Resident of Tista, Police Station- Jagdishpur, District Bhagalpur at Present Block Welfare Officer, Bealaur, P.S. Bealaur District Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Singh, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Kishanganj P.S. Case No. 482 of 2014 for the offences instituted under Sections 406, 409 and 468/34 of the IPC.

The prosecution story, in brief, is that the petitioner being the Block Welfare Officer has not finished the work under M.S.D.P. Scheme within the described period. In this regard, a letter was issued to him but he could not give reply. Therefore, for Centre Nos. 49, 51 and 02, the total amount of Rs. 3,12,500/- has been wrongly used by the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. He is the Block Welfare Officer. He has been made accused in the present case due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs. 75,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 75,000/- in the court below which shall be subject to final disposal of the case within a period of ten weeks from the date of receipt/production of copy of the order and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of ten weeks from the date of receipt/production of copy of the order in connection with Kishanganj P.S. Case No. 482/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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