

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33853 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -PATEPUR District- VAISHALI(HAJIPUR)

=====

ARUN KUMAR SINGH RATHAUR @ ARUN KUMAR SINGH son of
Late Jagdish Singh Rathaur, resident of village- Baranti, P.S. Bidupur,
District Vaishali at present Jansewak Prakhand Office, Bidupur, District
Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surya Kant Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh(APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Patepur P.S. Case No. 06/16 for offence alleged under Section 420
of the Indian Penal Code.

The prosecution case, as lodged by the Block
Development Officer, Patepur, is that the petitioner being Incharge
Panchayat Secretary, Bahuara and Marui Panchayat did not submit
the relevant measurement book, muster roll and other connected
documents in connection with PCC work for the relevant year
2008-09 and has, thus, misappropriated more than Rs. 1 crore of
Government money and has also disappeared with the aforesaid

Government registers.

It has been submitted by the learned counsel for the petitioner that he had appeared before the Block Development Officer, Patepur with all the documents in pursuance to the order passed by the learned court below but somehow Block Development Officer, Patepur stated that he had filed only four pages along with his representation.

Considering the aforesaid fact and that the petitioner is ready to appear before the Block Development Officer, Patepur with all the relevant documents, one more opportunity is being given to the petitioner to present all the documents available with him before the Block Development Officer, Patepur so that the accounts may be reconciled.

Let petitioner appear before the Block Development Officer, Patepur within a period of three weeks from today with his representation and all relevant papers.

Considering the fact that the matter relates to reconciliation of accounts, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl.

Chief Judicial Magistrate-X, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 06/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

It is, however, made clear that if again the petitioner does not appear before the Block Development Officer, Patepur and does not disclose all the papers with regard to the PCC work done during his tenure and fails to reconcile the accounts, such matter if brought to notice, the learned court below will pass an order on its own merits without being prejudiced with this order.

(Nilu Agrawal, J.)

Rajesh/-

U		T	
---	--	---	--