

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16209 of 2016

Arising Out of PS.Case No. -45 Year- 2010 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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Anir Haneer Hashmi @ Amir Hashmi son of Late Nawab Hashmi, resident
of Village Mitni, Police Station Gaunaha, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Khatim Reza, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2. 03-05-2016 Heard both sides.

The petitioner apprehends his arrest in Gaunaha P.S.
Case No. 45/2010, registered for the offences punishable under
Sections 406, 409 and 34 of the Indian Penal Code.

The Block Development Officer, Gaunaha lodged this
case wherein it is alleged that that the petitioner being Mukhiya of
Belsandi Panchayat along with Panchayat Rozgar Sewar
misappropriated government money of Rs. 25,000/- out of the
sanctioned amount for Belasandi Panchayat Yojna no. 2/2009-10
which was withdrawn for earth work and brick soling, but he did
not completed earth work and brick soling.

It is submitted that the petitioner did not defalcate the

government money rather he purchased the bricks worth of Rs. 25,000/- which was lying at the site. The police after investigation submitted the final form. There is no evidence against the petitioner that he misappropriated the government money.

Considering the facts aforesaid and the fact that the police has submitted final form, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Gaunaha P.S. Case No. 45/2010, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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