

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49967 of 2015

Arising Out of PS.Case No. -219 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Awadh Naresh Singh Son of Amirchand Singh, Resident of Village -
Bensagar, P.O. - Bensagar, P.S. - Karakat, District - Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.50524 of 2015

Arising Out of PS.Case No. -219 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Chinta Devi W/o Santosh Sah R/o Village - Chandrabhan Patti, P.O. Badki
Akodhi, P.S. Barhari, O.P. District - Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.49967 of 2015)

For the Petitioner/s : Mr. Nand Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta (App)

(In Cr.Misc. No.50524 of 2015)

For the Petitioner/s : Mr. Manish Kumar -3, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-02-2016 Since both the cases arise out of Karagahar (Barhara)

P.S. Case No.219 of 2015, they have been heard together and are

being disposed of by this common order.

The petitioners are apprehending their arrest in

connection with Karagahar (Barhara) P.S. Case No.219 of 2015

for the offences instituted under Sections 406, 409, 420, 467 and

468/34 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioners are innocent and allegation against them based upon suspicion and they were Panchayat Secretary of Akorhi panchayat. It has also been submitted that petitioners have got install 16 Chapakals and in inquiry cost of each hand-pump was estimated as Rs.6000/- in place of 22000/- so he was pressurized to deposit rest amount as a result of which the petitioners deposited Rs.2,00,000/- through cheque in the name of B.D.O. Karagahar, Rohtas on 28.4.2015 and there is no details of inspection in the case about work done.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It has been submitted that the petitioners have been made accused due to mistake of fact. There is no substantive evidence to show that any misappropriation of public fund has been made by the petitioners. It has further been submitted that the petitioners are ready to deposit an amount of Rs.40,000/- each in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners are ready to deposit an amount of

Rs.40,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas at Sasaram, in connection with Karagahar (Berhara) P.S. Case No.219 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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