

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13415 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -BELDAUR District- KHAGARIA

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Raj Kamal Son of Sri Murlidhar Madhav Resident of Village - Danauli,
P.S.- Balia, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 23-06-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner being the Panchayat Rozgar Sewak-cum-
Agent apprehends his arrest in connection with a case registered
for the offences punishable under Sections 409/420 of the Indian
Penal Code.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that the petitioner
is being prosecuted with regard to the execution of scheme under
the MNREGA project which was scheduled for the period 2007-
08 and also 2009-10. He further submits that with regard to the
aforesaid period, an First Information Report was instituted
against the petitioner for misappropriation of money relating to the
said scheme and that the brick-soling which was required to be

done had not actually been executed and a substantial amount of money meant for laying out the bricks was defalcated by the petitioner. It is submitted that the said region is flood affected region and the First Information Report has been filed in the year 2015 after a lapse of almost of 5-6 years during which period the region has met with several floods. He next submits that whatever was done against the petitioner, a certificate case was also instituted against him and he has now deposited the certificate amount under protest.

Be that as it may and considering the nature of allegation and also that there is no further cogent material in the case dairy to support the allegations as against the petitioner, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Beldaur P.S. Case No. 204/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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