

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10973 of 2016

Arising Out of PS.Case No. -103 Year- 2015 Thana -DHANAHA District-
WESTCHAMPARAN(BETTIAH)

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Suresh Pandey son of Late Tapeswar Pandey, R/o village- Rahmanpur,
P.S.- Dhanaha, District- West Champaran..... Petitioner

Versus

The State of Bihar.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 27-04-2016

Heard learned counsel for the petitioner and learned APP for

the Sate.

The petitioner seeks bail in connection with Dhanaha P.S.

Case No. 103 of 2015 registered for the offences punishable under

Sections 409, 420/34 of the Indian Penal Code.

Allegedly, the petitioner being the husband of Meena Devi,
Mukhiya of Gram Panchayat Raj Dumri Bhadarwa, being in collusion
and conspiracy with his wife and co-accused took advance of Rs.
56,83,000/- under different schemes but on the spot negligible work
was done.

Submission is of false implication and that the petitioner has
been made victim of political rivalry, the petitioner has got no concern
with the works of those schemes, District Collector, West Champaran,
Bettiah has given notice to the Mukhiya and Panchayat Secretary only
in this regard to submit their show cause but thereafter, the petitioner
has also been implicated resulting he is suffering in custody since
11.01.2016.

Learned APP opposes the prayer of bail by submitting that the petitioner looks after all the works of the panchayat with the help of panchayat secretary as Meena Devi can only right her name.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and the petitioner is neither the Mukhiya nor Panchayat Secretary, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 103 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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