

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51481 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -DIGHALBANK District- KISANGANJ

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Nawin Kumar Sinha S/o Late Sadanand Prasad Singh, R/o Village- Raj
Hata, Binodpur, P.S. & District- Katihar. At present Block Development
Officer, Kumarkhand Madhepura.

.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Dighalbank P.S. Case No. 43 of 2017 registered under
Sections 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the
entire work assigned to the petitioner has been completed and it
is wrong to allege that the work was completed partly. He
submitted that the voucher, muster roll, etc. in support of the
expenses conducted in course of execution of the work have all



been submitted.

On the other hand, learned counsel for the State submitted that the petitioner took an advance amount of Rs. 25,07,500/- for execution of schemes under Golden Jubilee Gram Swarojgar Yojna but the completed work is of Rs.17,49,771/- and the rest of the amount of Rs.7,57,729/- has illegally been retained by the petitioner.

Considering the submissions made on behalf of the parties, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail till submission of report under Section 173(2) of the Cr. P.C. on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Kishanganj in connection with Dighalbank P.S. Case No. 43 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C. In case an adverse police report is submitted against the petitioner, he shall be required to seek regular bail.

(Ashwani Kumar Singh, J.)

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