

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3719 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -TARAPUR District- MUNGER

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Rajniti Pandit Son of late Basudeo Pandit Resident of Sarai P.S.
Sangrampur Distt. Munger. At Present Panchayat Secretary, Gram
Panchayat Raj Khaira P.S. Tarapur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 24-04-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Tarapur P.S. Case No. 97 of 2016 for the offences punishable under sections 419, 420, 465, 466 and 468 of the I.P.C.

Allegedly, the petitioner being the Panchayat Secretary distributed old age pension in the name of dead persons and thereby committed misappropriation of the fund. Further, he has diverted the fund meant for one scheme to another scheme.

Submission is of false implication and that the petitioner has already deposited the defalcated amount in the



Nazarat, the petitioner was show caused, he has submitted his show cause and the show case was accepted but his three increments were cut and as such for the same offence he cannot be punished twice.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner admittedly committed misappropriation by giving old age pension to the nine dead persons.

In the facts and circumstances as stated above, considering that the petitioner has already deposited the defalcated amount and as such he, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Sri Sunil Kumar Singh, J.M. 1st Class, Munger in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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