

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8965 of 2017

Arising Out of PS.Case No. -12 Year- 2011 Thana -BAHERA District- DARBHANGA

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Umesh Mandal, S/o Jagdish Mandal, resident of village. - Athar Tole Gate,
P.S. Baheri, Distt. – Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Rajeev Ranjan and Santosh Bharti, Advs.

For the Opposite Party/s : Mr. Abhay Kumar – 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-03-2017 The petitioner is apprehending his arrest in connection with Bahera P.S. Case No. 12 of 2011 registered for offences punishable under Sections 409 and 420 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the First Information Report has been lodged by the informant, Assistant Postal Superintendent of Darbhanga, East Postal Sub-Division, Darbhanga stating therein that there was some defalcation in the payment of MANREGA Scheme to the labourers with respect to Gram Panchayat Ganesh Banauli Balni, Block- Benipur, District-Danbhanga and for that, the name of the petitioner found place at serial No. 5, however, the matter was



also enquired into in the departmental proceeding, but in the departmental proceeding, the petitioner was not found guilty.

Heard learned A.P.P. also

Having heard both sides. From perusal of Annexure-2 it appears that the departmental proceeding was also initiated against the petitioner and in that proceeding, he was exonerated from charge with respect to the same occurrence, No doubt, the departmental proceeding and the criminal proceeding are two different proceeding but this is also an admitted fact that in the department proceeding, the petitioner has been exonerated from charge and as such, the petitioner, Umesh Mandal, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs.Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Darbhanga, in connection with Bahera P.S. Case No. 12 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. This is further subject to the condition that the petitioner shall cooperate in the investigation of the case and make himself available before the police as and when required and in the event of failure on his part to appear before the police on



two consecutive occasions, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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