

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48948 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -NAWINAGAR District- AURANGABAD

- =====
1. Prabhat Ranjan, Son of Late Chandrashekhar Mandal, Resident of Village-Keshopur, P.S. Jamalpur, District-Munger.
 2. Manoj Kumar Kant, Son of Junnu Prasad, Resident of Village-Bela, P.S. Neura, District-Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Nabinagar P.S. Case no. 83 of 2016, registered under Sections 420,
406 and 409/34 of the Indian Penal Code.

The accusation is that on the basis of the inquiry report of
Joint Committee constituted by the District Magistrate, Aurangabad
Nabinagar P.S. Case No. 83 of 2016 is instituted against Radha Singh,
Chief Councilor, Nagar Panchayat, Nabinagar and ten others named in
the F.I.R. regarding 15 irregularities committed in the work done by
the Nagar Panchayat.

Learned counsel for the petitioners submits that the
petitioner No.1 Prabhat Ranjan was the Executive Officer in between



10.01.2015 to 11.05.2015 in Nagar Panchyat, Nabinagar and according to Section 27 (B) of Bihar Municipal Act, 2007, he has only to comply the direction and decision of Empowered Standing Committee and Board as such petitioner has no concerned with the irregularities as said to be found in the work done against the norms. Further submission is that petitioner No.2 Manoj Kumar Kant was the Secretary of Mahatama Fule Welfare Society, Neura, Patna, Bihar and allegation is obtaining the work of construction of the septic tank and latrine without proper compliance of norms. But there is no allegation about embezzlement of the exchequer or taking money without doing the work.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No.83 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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