

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46661 of 2017

Arising Out of PS.Case No. -109 Year- 2015 Thana -PALASI District- ARRARIA

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1. Ashok Kumar @ Ashok Kumar Jha the then Jan Sevak-cum-Panchayat-Sachiv, Gram Panchayat Nakta- Khurd, S/o Bhola Nath Jha resident of village - Kolhua, P.S. - Kursa-Kanta, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 10-11-2017 Heard both sides.

The petitioner apprehends his arrest in Palasi P.S. case No. 109 of 2015 for the offences punishable under Section 406, 409, 420/34 of the Indian Penal Code.

The Block Development Officer, Palasi alleged that petitioner, being the then Panchayat Secretary, did not execute works of six schemes enumerated therein.

The learned counsel for the petitioner submits that from perusal of Annexure-2, it would appear that petitioner was sent for training for one year w.e.f. 30.03.2010. The petitioner got the works completed of all the schemes and submitted report to the Block Development Officer on 16.01.2011. The Block



Development Officer reported that the report is correct and the same is annexed as Annexure-4. It is further submitted that Binod Kumar Gupta, the present Panchayat Secretary, has already been granted anticipatory bail by the learned Sessions Judge vide order dated 09.10.2015 as he has already deposited the amount of the scheme in the bank.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that petitioner has already completed the works of the scheme, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Araria in connection with Palasi P.S. case No. 109 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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