

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42347 of 2018

=====

Bijay Kant Mandal, son of Basant Mandal, resident of Village-
Budhuchak, P.S.- Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 24-09-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Kharik P.S. Case No.26 of 2017** instituted for the offence under Section(s) 420 and 409 Indian Penal Code.

Allegation in the written report is that petitioner being the *Panchayat Sachiv* has constructed the Aanganbari Centre No.103 on the land of Kamleshwari Mandal instead of government land and has received Rs.92,500/- for the said construction.

Counsel for the petitioner submits that Kamleshwari Mandal has already donated the aforesaid land to the Government vide Anneuxre-2. In this regard, he has already written this fact on a stamp paper in the year 2008 itself but the authority has not



acted in the matter. It has further been submitted that vide Annexure-5, there was office order to make construction of Aaganbari Kendra on the land donated by Kamleshwri Mandal. It has further been submitted that Mukhiya is the main In-charge of construction. Petitioner is only Panchayat Secretary. Petitioner is said to be in custody since 23.04.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the **Additional Chief Judicial Magistrate, IInd, Naugachiya, Bhagalpur**, in connection with **Kharik P.S. Case No.26 of 2017**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

JA/-
Rohit Kr.

U		T	
---	--	---	--

