

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36412 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

1. Samarjeet @ Samarjeet Kumar @ Ranjit Up Mukhia of Panhar Panchayat
Son of Sheonath Prasad @ Basudeo Goswami, Resident of Village
Khudaganj Bazar, P.S. Khudaganj, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv

For the Opposite Party/s : Mr. Sri Ajay Kumar-1,APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 25-08-2018

Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 420,409 of the
Indian Penal Code.

The petitioner is UP-Mukhiya of the
Panchayat. Government fund was sanctioned in favour of
different beneficiaries under Indra Awas Scheme. The funds
were deposited in the bank account. Thereafter, beneficiaries
went to the bank, they withdrew the money by putting their
L.T.I. on withdrawal form. After withdrawal of the money, the
petitioner took Rs.20,000/- from each of the beneficiaries,
pretending that the petitioner had managed the payment of
public money. The aforesaid material has come in the case



diary.

A supplementary affidavit has been filed, wherein the beneficiaries have sworn affidavit that subsequent to lodging of the FIR, the petitioner had refunded the remaining Rs.20,000/- to the beneficiaries.

The petitioner is a public representative and his misconduct with the public does not justify release of the petitioner on bail instantly. Petitioner is in custody since 05.05.2018.

In the circumstances, let the petitioner, above named, be released on bail **on completion of nine months of custody, if the trial is not concluded in the meantime**, on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khudaganj Police Station Case No.23 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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