

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59562 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- BAGENGOLA District- Buxar

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1. Ranjeet Kumar Singh, S/o Late Pardeep Kumar Singh, At present Mukhia, Bagen Panchayat, Vill.- B Aruha, P.S.- Bagen Gola, District- Buxar.
 2. Satendra Singh S/o Satrugan Singh, At present Mukhia, Bhadwar Panchayat, Vill.- Bhadwar, P.S.- Bagen Gola, District- Buxar.
 3. Sheo Shankar Pandey S/o Late Dinanath Pandey, Posted as Panchayat Secretary, Vill.- Gagadara, P.S.- Buxar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 409, 420/34 of the Indian Penal Code.

The petitioners are *Mukhiyas* and *Panchayat Secretary*. Allegation is of defalcation of public money given for public schemes.

Submission is that initially work was to be executed by the *Mukhiya* and the petitioners started the work. Thereafter, the Government decided that work should be performed by



Ward members. Thereafter, the petitioners demanded for money invested by them in construction of the work but the money has not been refunded. In spite of that under protest the petitioners have already refunded the entire scheme amount.

Since the petitioners claim to have refunded the entire scheme amount as well as considering the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bagengola Police Station Case No.35 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Kumar, J)

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