

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44785 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -NIRMALI District- SUPAUL

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Upendra Ram S/o Late Lakhichandra Ram, R/o Vill.- Bhawanipur, P.S.-
Paratapganj, Distt.- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivek Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 11-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Nirmali P.S. Case
No. 93/2017, registered for the offences punishable under Sections
420, 409 and 34 of the Indian Penal Code.

Allegation against the petitioner is that being Panchayat
Secretary of Dagmara and Belasingar Moti panchayat, the
petitioner misappropriated government fund of Rs. 97,95,602/-
allotted to him, for different government schemes.

It has been submitted that petitioner has falsely been
implicated in the case. The amount taken by the petitioner in
advance was not accounted. The petitioner completed 100% work
in Dagmara panchayat and 80% work in Belasingar Moti



panchayat. The delay caused due to non-availability of 'Sand', as in view of different instructions issued by the Mining Department, Government of Bihar, the supply of 'Sand' was stopped.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the 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 Judicial Magistrate, Birpur in connection with Nirmali P.S. Case No. 93/2017 subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the petitioner tampers with the evidence



or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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