

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42573 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -HISUA District- NAWADA

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1. Binita Devi wife of Dharmendra Manjhi.
2. Dinanath Manjhi son of Parsadi Manjhi. Both resident of Village- Kaithir
(Vijaya Nagar), P.S. Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Hisua P.S.Case No.76 of 2018, registered for offences punishable under Sections 467, 468, 420 & 120B of the Indian Penal Code.

Petitioners are said to be contractor of Drain and Lane Scheme in the village and there is allegation of defalcation of Rs.35 lac which was for the purpose of construction of drain and water pump in the different streets of ward.

Learned counsel for the petitioners has drawn my attention towards para 13 of the case diary that the work has already been completed and only because that the scheme was not sanctioned by the Village Monitoring Committee, the petitioners have been



made accused in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Hisua P.S.Case No.76 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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