

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69200 of 2018

Arising Out of PS. Case No.-98 Year-2018 Thana- MAKER District- Saran

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1. Dharmendra Kumar Singh @ Khedu Singh
 2. Simant Singh
 3. Jagdish Singh @ Jadish Singh @ Jagdish Kumar Singh All Sons of Shiv Kumar Singh Resident of Village-Haijalpur,P.S. Maker,Distt.-Saran
 4. Kailash Paswan Son of Baleshwar Paswan Resident of Village-Khaithoeer,P.S. Sikandra,Distt.-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mayank Shekher
		Mr. Saket Gupta
For the Informant	:	Mr. S. Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-12-2018 Heard the learned counsel for the petitioners, the informant and the State.

The petitioners seek bail in anticipation of their arrest in connection with Maker P. S. Case No. 98 of 2018 dated 10.07.2018 instituted for the offences under Sections 341, 323, 420, 406, 504 and 34 of the Indian Penal Code.

The petitioner no. 1 is the Mukhiya of Maker Panchayat whereas petitioner nos. 2 and 3 are his brothers. Petitioner no. 4 is the Junior Engineer, presently posted at Amnour Block under the district of Saran.



It has been alleged in the F.I.R., which has been lodged by a Ward Member, that the petitioners had forcibly tried to make the informant part with money which was deposited in his account under the Chief Minister's "Nal Jal Yojana".

Learned counsel for the petitioners has submitted that for the work which was allotted to the agency namely Chetna Agency under the "Jal Nal" Scheme, money was transferred from the account of the informant to the Agency's account.

The present case has only been lodged because the work has not been completed by the agency and the money has been given by the informant to the aforesaid agency. It is only for hiding his own lapses, that the present case has been lodged against the Mukhiya, his brothers and the Junior Engineer.

It has further been submitted that the Mukhiya was not at all concerned with the execution of the work under that particular scheme and the allegations against the Junior Engineer also appears to be very far-fetched in as much as



after the major amount of money was paid through the account of the informant to the account of the agency, there is further allegation of the petitioners having put a demand of Rs. 5,00,000/-. The allegation on face of it does not appear to be correct.

Considering the aforesaid facts, the petitioners, above-named, are directed to be released on bail, in the event of their 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, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 12th, Saran at Chapra in connection with Maker P. S. Case No. 98 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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