

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22390 of 2018

Arising Out of PS.Case No. -138 Year- 2011 Thana -BAHERA District- DARBHANGA

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1. Himanshu Ranjan S/o Ram Pravesh Sharma Resident of Village -
Lakhibag, P.O. - Buniyadganj, P.S. - Muffasil, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath, Adv.

For the Opposite Party/s : Mr. Sri Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Bahera P.S.Case No. 138 of 2011 registered under Sections
409, 420, 120-B and 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the petitioner was posted in the capacity of
Panchayat Rozgar Sewak at Ramauli Panchayat of Benipur Block
(Darbhanga) from November, 2007 to December, 2009. The work
of Scheme No. 148/2009-10 was partly executed during the tenure
of the petitioner. Subsequently, he was selected for the post of
Probationary Officer (Indian Bank) and, thus, he left the job of
Panchayat Sewak in the month of December, 2009. Since then, he
was posted at Chennai and recently he has been transferred and



posted at Bhabua in June, 2017. It is contended that co-accused Vijay Kumar, who is also named in the FIR, has already been granted pre-arrest bail by order dated 04.01.2012 passed in Cr.Misc. No. 41348 of 2011 and the investigation of the case is still pending.

On the other hand, learned counsel for the State submitted that in the internal enquiry it was found that in execution of Scheme No. 148/2009-10 bricks of inferior quality were used. Some other deficiencies were also found in execution of the scheme.

In view of the submissions made on behalf of the parties, in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Bahera P.S.Case No. 138 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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