

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2537 of 2019**

Arising Out of PS. Case No.-30 Year-2018 Thana- MANIGACHI District- Darbhanga

Md. Shibli , son of Md. Shafique Ahmad, Resident of village + P.S-Bahera,
Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

6 16-04-2019 The petitioner apprehends his arrest in connection with
Manigachhi P.S.Case No. 30 of 2018 registered under Sections
406,409,420/34 of the Indian penal Code.

Allegation against the petitioner is that he withdrew a
total sum of Rs. 45,63,300/- of different schemes of Gram
Panchayat without doing any work and thus, he has committed
breach of trust and misappropriated Government money.

Submission of learned counsel for the petitioner is that
money used to be withdrawn with the joint signature of the
petitioner and Mukhia and after withdrawal he has handed over
the amount to Mukhia, which will appear from the document
appended with the petition and now he has filed supplementary
affidavit showing that work has been done and without verifying
the same charge has been levelled against the petitioner.



Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioner, abovenamed, surrender before the court below within a period of six weeks from the date of receipt of a copy of this order, and on his surrender, he will be released on provisional bail till submission of charge sheet upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Darbhanga in connection with Manigachhi P.S. Case No. 30 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure. In the meantime, he will assist the investigating officer. Further even after investigation, case is found true agaisnt him and charge sheet is submitted, he has to surrender and make prayer for regular bail, which shall be considered and disposed of, on the basis of materials available on record, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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