

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24170 of 2019

Arising Out of PS. Case No.-48 Year-2018 Thana- CHAUTHAM District- Khagaria

Devanand Son of Late Lakshmikant, Resident of Village - Mojahida, P.S.-
Parbatta, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Tiwary

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-04-2019 Heard both sides.

The petitioner apprehends his arrest in Chautham P.S.

Case No.48 of 2018 registered under Sections 406, 409, 420,
468, 471 and 34 of the Indian Penal Code.

The Block Development Officer, Chautham made allegation against the petitioner that while the petitioner was Panchayat Secretary of Gram Panchayat Raj Telauchh, the petitioner and the then Mukhiya (Amar Kumar) misappropriated Rs.9,05,000/- from BRGF Scheme. The informant further made allegation against the then Mukhiya, Naresh Choudhary (Panchayat Secretary) and Sardar Choudhary (Panchayat Secretary) that they misappropriated Rs.8,97,000/- and Rs.4,62,270/- from BRGF Scheme.

Learned counsel for the petitioner submits that



Panchayat Secretary of Gram Panchayat Raj, Telauchh, (petitioner) and the then Mukhiya are alleged to have defalcated Rs.9,05,000/- in purchasing solar lights. It is submitted that no period for defalcation is mentioned in the F.I.R. No irregularity in purchasing solar lights was committed. Mukhiya has already been granted provisional bail till submission of charge sheet vide order dated 26.03.2019 passed in Cr. Misc.No.4190 of 2019 by a coordinate Bench of this court.

Taking into consideration the facts aforesaid, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, the learned court below shall enlarge the petitioner on provisional bail till submission of charge sheet with condition that he will cooperate with the Investigating Officer and after submission of charge sheet, the petitioner shall surrender and make prayer for regular bail which shall be considered on the basis of materials available on record.

(Prabhat Kumar Jha, J)

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