

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39966 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- GHOGHARDIHA District- Madhubani

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1. Abdul Haque Ansari, Son of Late Sattar Ansari Resident of Village-Satrupatti, P.S-Ghoghardiha, District-Madhubani.
 2. Md. Masum Son of Late Majalum Resident of Village-Satrupatti, P.S.-Ghoghardiha, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 06-08-2019 Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No.1, namely, Abdul Haque Ansari as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.1 Abdul Haque Ansari is dismissed as withdrawn.

Heard learned counsel appearing on behalf of petitioner No.2, namely, Md. Masum and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Ghoghardiha P.S. Case no. 18 of 2019, registered under Section 409/34 of the Indian Penal Code.

The accusation is that Abdul Haque Ansari, the then Mukhiya, Upendra Singh, the then Panchayat Secretary



and petitioner being the agent committed irregularity in the work of Scheme No.08/2011-2012 and in Scheme No. 01 of 2012-13, due to that reasons the government suffered loss of Rs.1,07,400/- and Rs. 85,000 total Rs. 1,15,900/-.

Learned counsel for the petitioner submits that, in fact, the contract was done in the year 2011-12 and 2012-13 and inquiry was made after five years. Moreover, the petitioner is ready to deposit Rs. 1,15,900/-, on protest, to the concerned department.

Having regard to the facts and circumstances of the case and submission made on behalf of petitioner, let the petitioner No.2 Md. Masum, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of ten weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 18 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. subject to the condition that petitioner will show receipt of Rs. 1,15,900/- deposited in the concerned department at the time of furnishing of bail bond.

(Rajendra Kumar Mishra, J)

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