

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41832 of 2019**

Arising Out of PS. Case No.-4 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

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RADHESHYAM BHAGAT Son of Late Tetar Bhagat the then Panchayat
Sectetary, of Gram Panchayat Raj Ithar of Kusheshwar Ashthan block of
Darbhanga. Resident of Village - Maliya Tol, P.S.- Keoti, Distt - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha

For the Opposite Party/s : Mr.Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 406, 409, 420, 467, 468 and 471 of the
Indian Penal Code.

The prosecution allegation in short is that the accused
persons misappropriated huge government money meant for the
purpose of various schemes of 13th and 14th Finance
Commission without performing the work.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 11.4.2019 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been



submitted in the present case. Rs. 19 lakhs and odd amount was given under the different welfare schemes for the development of the panchayat. The petitioner was the Panchayat Secretary and the development schemes could not be completed within time. A Co-ordinate Bench of this Court in Cr. Misc. No. 33080 of 2019 called for a report from the B.D.O., Kusheshwar Asthan, Darbhanga in respect of the schemes which were to be carried out in the said Panchayat. The said report is Annexure-4 to the present application. The said report indicates that the work under the schemes has been completed.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri K. Sudhanshu, Judicial Magistrate, 1st Class, Biroul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 4 of 2019.

Pankaj/-

(Sudhir Singh, J)

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