

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44718 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- CHHABILAPUR District- Nalanda

SANTOSH KUMAR DIWAKAR S/o Shivnandan Prabhakar, R/o village-
Goraur, P.S.- Chhabilapur, District- Nalanda. At present- Mukhiya, Goraur
Gram Panchayat, P.S.- Chhabilapur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Chhabilapur P.S. Case No. 57 of 2019
registered for offence punishable under sections 420, 409/34 of
the Indian Penal Code.

As per allegation, a joint account of Mukhiya with
the Panchayat Secretary for the purpose of work of panchayat
was opened and after the death of Panchayat Secretary it
transpired that Rs.30,50,000/- (thirty lakhs fifty thousand) has
been withdrawn and that has been misused. The petitioner is
the Mukhiya of the Panchayat.

Looking to the entire facts and circumstances of the



case, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders before the court below and prays for regular bail, the court below without being prejudiced by this order, will take decision in accordance with law, preferably on the same day.

(Shivaji Pandey, J)

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