

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59474 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- BHAGWANPUR District- Begusarai

Vijay Nand Rai @ Vijay Nand Roy, Son of Late Rameshwar Rai, resident of
Village- Shiv Nagar, Masudanpur, P.S. Balia, District- Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Smt. Veena Rani Prasadd.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 09-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bhagwanpur P.S. Case No. 35 of 2018, registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

Allegation against the petitioner is of excess withdrawal with respect to Solar Light Project Scheme and defalcated the same. It further appears from the impugned order that in departmental proceeding the petitioner, who happens to be the Panchayat Secretary, was found guilty.

Submission of learned counsel for the petitioner is that no financial year has been mentioned in which defalcation has been made and furthermore by joint signature of Mukhiya and Panchayat Secretary withdrawal of any amount under any Government Project has to be made and only petitioner has been



made accused and Mukhiya has been left out. Further submission is that the District Magistrate has ordered for further inquiry and inquiry report could not be obtained.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let petitioner, above named, surrender within a period of eight weeks from the receipt of this order and pray for regular bail showing that the District Magistrate has ordered for further inquiry and considering the same the petition of the petitioner shall be disposed of by the court below and for eight weeks no coercive action shall be taken against the petitioner.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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