

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18291 of 2020

Arising Out of PS. Case No.-73 Year-2019 Thana- DEO District- Aurangabad

1. GOPAL SINGH Son of Ram Prasad Singh @ Prasad Singh Resident of Village - Karamdih, P.S.- Deo, District - Aurangabad
2. Rakesh Kumar Son of Baban Singh @ Bachan Singh Resident of Village - Karamdih, P.S.- Deo, District - Aurangabad
3. Chandramani Devi Daughter of Bisunath Mehta @ Kishunnath Mehta Resident of Village - Barheta, P.S.- Deo, District - Aurangabad
4. Pankaj Kumar Son of Devendra Sharma Resident of Village - Barheta, P.S.- Deo, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 406, 409, 420, 34 of the Indian Penal Code.

The prosecution case, in short, is the accused persons



misappropriated the government fund meant for welfare scheme and did not complete the work.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. The petitioner nos. 1 and 3 are Chairmen of Ward Nos. 11 and 12 respectively and petitioner nos. 2 and 4 are secretaries of Ward Nos. 11 and 12 respectively. The allegation of misuse of public money in respect of the scheme in question is denied by the petitioners. It is further submitted that the petitioners are ready to deposit a sum of Rs. One lac jointly in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, **on deposit of a sum of Rs. One lac jointly in the Court below which shall be subject to final disposal of the case**, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory



bail on their personal bonds to the satisfaction of learned Chief
Judicial Magistrate, Aurangabad in connection with Deo P.S.
Case No. 73/19 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each
with two sureties of the like amount each within a period of
seven weeks to the satisfaction of the Court concerned in
connection with the aforesaid case.

(Sudhir Singh, J)

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