

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 19022 of 2020

=====

1. Rama Kant Pandey, aged about 63 years, male, Son of late Sattan Pandey, R/o Paschhmi Dariyapur, P.S.-Sangrampur, District-East Champaran, Motihari.

2. Farooq Khan, aged about 71 years, male, Son of late Alam Khan, R/o Paschmi Madhubani, P.S.-Sangrampur, District-East Champaran, Motihari.

3. Ezaz Khan @ Ezaz Ahmad Khan, aged about 49 years, male, Son of Jalil Khan, R/o Dariyapur, Paschmi Madhubani, P.S.-Sangrampur, District-East Champaran, Motihari.

4. Gopal Baitha, aged about 21 years, male, Son of Rajeshwar Baitha, R/o Indragachi, Paschmi Madhubani, P.S.-Sangrampur, District-East Champaran, Motihari.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Asit Kumar Jha, Adv.

For the State : Mr. Parmeshwar Mehta, APP

=====

CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR



ORAL ORDER

02/- 21-07-2020

Heard Mr. Asit Kumar Jha, learned counsel for the petitioners and Mr. Parmeshwar Mehta, learned APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this petition with respect to petitioner No. 2/Farooq Khan, who is reported to have died during the pendency of this bail petition.

Permission is accorded.

The application with respect to petitioner No. 2 is dismissed as withdrawn as having become infructuous.

Petitioner Nos. 1, 3 and 4 seek bail in anticipation of their arrest in connection with Sangrampur P.S. Case No. 268 of 2019, dated 06.12.2019, instituted for the offences under Sections 420, 409 and 120-B of the Indian Penal Code.

The petitioners are said to be the Secretaries of Ward Prabandhan Evam Kriyanvyan Samiti of Ward Nos. 5, 10 and 11 respectively. They were nominated as Honorary Secretaries. They had been instructed with the task of getting the work of Nal-Jal Yojna



through Prabandhan Samiti. As the allegation stands, the work was executed through local contractors in violation of the directions issued to them.

It has been submitted on behalf of the petitioners that an absolutely false case has been lodged against the petitioners. In fact, for the years 2016-2017 and 2018-2019, all the works under the Nal-Jal Yojna have been completed and the completion report in that regard has also been submitted to the concerned officials. The dispute of the petitioners with the local Mukhiya with respect to releasing of the sanctioned amount has resulted in lodging of the present case.

Regard being had to the aforesaid facts, petitioner Nos. 1, 3 and 4 above-named, in the event of their arrest/surrender before the Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-14-Cum-A.C.J.M., East Champaran, Motihari in connection Sangrampur P.S. Case No. 268 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The application stands disposed off accordingly.

(Ashutosh Kumar, J.)

Praveen-II/-

U T

