

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77165 of 2019

Arising Out of PS. Case No.-181 Year-2018 Thana- GOVINDPUR District- Nawada

1. Asha Devi, W/o Sanjay Ram.
2. Praveen Kumar, S/o Suresh Prasad
Both are R/o village- Khaira Khurd, P.S.- Govindpur, District- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Anish Kumar, Advocate
For the Opposite Party	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 23-06-2020 Heard learned counsel for the petitioners and
learned counsel for the State via video conferencing.

By way of the present application, the petitioners have sought for pre-arrest bail in connection with Govindpur P.S. Case No.181 of 2018 registered for the offences punishable under Sections 409 and 406 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the entire allegations made in the first information report are false and frivolous. All the works under the Nal-Jal Scheme were done as per the guidelines and during investigation, the witnesses have made their statement that works have been done. It is further contended that on perusal of the inquiry report submitted by the Executive Engineer,



P.H.E.D., Nawada, it is evident that there is no irregularity in the work done by the petitioners, who are Ward Member and Panchayat Secretary of Ward No.4. It is also contended that there is no clarity in the allegations made in the FIR and a vague allegation of irregularity in execution of the work under the scheme has been levelled against the petitioners.

Learned counsel appearing for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the nature of allegation, the submissions advanced on behalf of the petitioners and the attending facts and circumstances of the case, the petitioners are directed to be released on bail in the event of arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Nawada in connection with Govindpur P.S. Case No.181 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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