

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82961 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- DHIBRA District- Aurangabad

1. MINA DEVI Wife of Sri Dharmendra Singh Resident of Village- Koyal Khap, P.S.- Dhibra and District- Aurangabad (Bihar).
2. Virendra Kumar Singh Son of Sri Ram Bilas Singh Resident of Village- Koyal Khap, P.S.- Dhibra and District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 25-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dhibra P.S. Case No. 6 of 2019, disclosing the offence under Sections 406, 409 and 420/34 of the Indian Penal Code.

There is allegation in the F.I.R. lodged on the basis of written report of the Block Development Officer, at the instance of District Magistrate, Aurangabad, that some of the agencies received huge amount of money for completion of work under “*Ghar Ghar Jal Yojna*” and misappropriated the amount without completing the said work. The petitioner no. 1



is Ward Member-cum-Chairman of the Management Committee and petitioner no. 2 is Secretary of the Management Committee, constituted for execution of works in the Ward.

Learned counsel on behalf of the petitioners appears to be correct in his submission that the F.I.R. does not disclose, as to what amount was misappropriated by the petitioners. The allegation in the F.I.R. is so vague, as to constitute an offence of criminal breach.

Considering the nature of allegation in the F.I.R., this application is allowed.

Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Dhibra P.S. Case No. 6 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two



consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

AKASH/-

U		T	
---	--	---	--

