

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83802 of 2019**

Arising Out of PS. Case No.-32 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

1. Devanti Devi, Wife of Sri Bechu Singh Resident of Village - Balathua, P.S.- Sasaram (Muffasil), Distt - Rohtas at Sasaram.
2. Ram Narayan Sah, Son of Late Tulshi Sah Resident of Village - Kusahi, P.S.- Dinara, Distt - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ras Bihari Thakur

For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      18-02-2020      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners, being the Panchayat Mukhiya and Panchayat Secretary, are apprehending their arrest in a case registered for the offence punishable under Section 409 of the Indian Penal Code.

The prosecution case got initiated on the written report of Satyendra Bind, Ward Member of Gram Panchayat – Belathi, is to the effect that under 7<sup>th</sup> Resolution of Chief Minister, pipeline was lay down under ‘Nal-Jal Yojna’. The work was given to one Satish Kumar and who was handed over the money also. Initially cheque of Rs.1,65,744/- was handed



over and thereafter, cheque of Rs.6,30,000/- was also handed over but he failed to complete the work.

It is submitted by learned counsel for the petitioners that the petitioners are not named in the FIR but during investigation, the name of the petitioners sprang up. Admittedly, the money was given to one Satish Kumar and the case has already been registered against said Satish Kumar. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the name of the petitioners sprang up during investigation.

Considering the fact that the entrustment of money is admittedly to Satish Kumar and the petitioners are not named in the FIR, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 32 of 2019,



subject to the conditions as laid down under Section 438(2) of  
the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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