

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30744 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- MUFFASIL District- West Champaran

1. MEHRUN NESHA, W/o Sri Gulam Ansari, Adhyaksha, Kriyanavyan and Prabhandhan Samiti, Gram Panchayat Raj, Purbi Kargahiya, Ward No.05, the Mukhya Mantri Gramin Peyjal Nishchay Yojna. Resident of Village-Mansha Tola, P.S.-Bettiah Muffasil, District-West Champaran
2. Mustafa Alam, S/o Md. Quasim Ansari Sachiv, Kriyanavyan and Prabhandhan Samiti, Gram Panchayat Raj, Purbi Kargahiya, Ward No.5, the Mukhya Mantri Gramin Peyjal Nishchay Yojna Resident of Village-Mansha Tola, P.S.-Bettiah Muffasil, District-West Champaran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 12-02-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 10.11.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Bettiah Mufassil P.S. Case No. 74 of 2020, registered under Sections 406, 420, 468 and 34 of the Indian Penal Code.

The accusation is that in Ward No. 5 of Gram Panchayat Raj, Pubi Kargahiya, under Jal-Nal Project, water is to be supplied in 150 houses, but, only in 70 houses the



connection was provided. In spite of seeking explanation from President and Secretary of the Management Committee regarding the work, they did not give any reply.

Submission is that both the petitioners are President and Secretary of the Enforcement and Management Committee of Jal-Nal Project of Ward No. 5, in which it was detected that out 150 beneficiaries, in 123 houses the water is being supplied, in 27 houses water is not being supplied because two brothers are residing in same house though they had prayed for supply of water, but, after connection they did not permit to supply the water because of refusing to pay the charges of supply of water, which has come in Annexure 2 to the letter of the Block Development Officer, West Champaran at Bettiah, addressed to the District Panchayat Officer, West Champaran at Bettiah. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bettiah Mufassil P.S. Case No. 74 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West



Champaran at Bettiah, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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