

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33402 of 2020**

Arising Out of PS. Case No.-46 Year-2020 Thana- GHOSI District- Jehanabad

Shailesh Kumar, Son of Ram Pravesh Shrama, Resident of Village-
Surdaspur, P.S.- Ghosi (Okari), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Kher, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-03-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Ghosi (Okari) P.S. Case No. 46 of 2020, registered under

Sections 406, 409 and 420/34 of the Indian Penal Code.

The accusation is of committing irregularity and

misappropriating the money under the Jal-Nal Yojna by

Chairman Ram Eqwal Sharma, Ex-ward Secretary Shailesh

Kumar (petitioner) and the present Ward Secretary, Sanjay



Kumar of Modanganj Panchayat.

Learned counsel for the petitioner submits that it would appear from the FIR that at the time of lodging the FIR, the petitioner was not the Ward Secretary. It is further submitted that it would also appear from the order dated 12.02.2020 of Block Development Officer, Modanganj, that in the regime of petitioner being the Ward Secretary, Rs.5,97,500/- was withdrawn by him and thereafter, Rs.3,05,000/- was withdrawn by the Chairman Ram Eqwal Sharma and the present Secretary Sanjay Kumar. Further submission is that while the boring is shown fitted up to 290 feet but due to not running condition of motor, water was not being supplied. In fact, as per inquiry report of Junior Engineer, the Secretary and Chairman have given information about the theft of starter of the motor. Further submission is that the work of Rs.7,12,876/- has already been done by the petitioner, which would appear from the petition, while in his regime, only Rs.5,97,500/- was withdrawn by him.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned A.C.J.M.-Ist
Class, Jehanabad, in connection with Ghosi P.S. Case No. 46 of
2020, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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