

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13848 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- BAGENGOLA District- Buxar

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1. Smt. Reena Devi @ Rina Devi, aged about 32 years, female, Wife of Ajay Sahu.
 2. Smt. Ati Sundari Devi @ Atisundari Devi, aged about 40 years, female, Wife of Jang Bahadur Choudhary.
- Both are R/o village- Baruhan, P.S.- Bagen Gola, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-03-2022 Heard the counsel for the parties.

The petitioners, who are the Ward Chairman and Ward Secretary of Ward No. 11 of Gram Panchayat - Bagen respectively, seek bail in anticipation of their arrest in connection with Bagen Gola P.S. Case No. 16 of 2020, dated 10.02.2020, instituted for the offences under Sections 420, 409 and 120(B) of the Indian Penal Code.



They are alleged to have withdrawn Rs. 9,60,000/- towards execution of the construction work under the Chief Minister Drinking Water Scheme, but no work has allegedly been done by them. Similar was the allegation against the Ward Chairman and Secretary of another Ward with which the petitioners are not concerned.

It has been urged on behalf of the petitioners that in the first instance, an amount of Rs. 9,60,000/- was credited in their bank account for which the entire work was done. However, after the lodging of the F.I.R. also, an amount of Rs. 4,00,000/- was further deposited in the account of the petitioners. Whatever money was found to be in excess of the work already executed through the petitioners, has been returned to the State Treasury on 13.01.2022. There are no dues against the petitioners and the present prosecution is a hastily drawn up F.I.R. without confirming the actual state of affairs.

Regard being had to the submissions afore-stated, the petitioners, in the event of their arrest or surrender before the learned Court below within a period of four



weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Bagen Gola P.S. Case No. 16 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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