

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13585 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- MADHUBAN District- East Champaran

SHRI DEVENDRA PASHWAN @ DEVENDRA PASWAN Son of Rajendra Paswan Resident of Village - Bhagwanpur, P.S.- Madhuban, Distt.- East Champaran, the sachiv ward kriyanwayan and Prabandhan Committee, Ward no.3, P.s.- Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Binod Kumar no.3

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 13-07-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 420 and 409/34 of the Indian Penal Code.

As per allegation Rs 31,17,000/- was sanctioned in respect of work of Ghar Nal Yojna. The said work was to be completed by a Samiti and according to the allegation petitioner in the capacity of secretary and co-accused persons took the said amount in advance and thereafter misappropriated Rs 20,94,200/- out of the sanctioned amount without getting the



work completed for which the amount was sanctioned.

The main submissions advanced by the learned counsel for the petitioner are that petitioner was simply secretary of the Simiti and he did his work in the capacity of secretary in respect of the scheme for which fund was allocated. Further submission is that now alleged work of Ghar Nal Yojna has been completed after petitioner was arrested and in this regard annexures 2 and 3 are relevant and according to said annexure Rs 4700/- is stated to be due but later on the said amount had already been paid and considering these facts, Sahjahan Khatoon who was chairman of Samiti has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 9370 of 2022 and case of this petitioner stands on better footing as he performed his duty simply as secretary of the Samiti and he has been languishing in jail since 03.12.2021 having no criminal antecedent.

Learned APP opposed the prayer for bail.

Having considered the above submissions and mainly the fact that the work for which the alleged amount was sanctioned has been completed and with consideration of the facts, co-accused Sahjahan Khatoon has been granted regular bail vide order passed in the above mentioned miscellaneous



case and petitioner's case stands on similar footing with
aforesaid co-accused, let the petitioner be released on bail on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the
Judicial Magistrate Ist Class, Motihari District East Champaran
in Madhuban P.S Case No. 57 of 2021.

(Shailendra Singh, J)

s.hassan/-

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