

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20601 of 2022

Arising Out of PS. Case No.-136 Year-2019 Thana- DARAUNDA District- Siwan

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1. DEVENDRA PRASAD Son of Indradeo Prasad Resident of Village- and Post- West Harsar, P.S.- Daraunda, District- Siwan.
 2. Chandan Kumar Ram S/o Rajbanshi Ram Resident of Village and Post- West Harsar, P.S.- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandeshwar Pathak, Son of Late Saryudatt Pathak, Resident of village – Harsar, P.S. Daraunda, District – Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-11-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 420, 406 of the Indian Penal Code.

As per F.I.R., the petitioners are alleged to have misappropriated government fund in execution of ‘*Nal Jal Yojna*’.

It is submitted on behalf of petitioners that the work in question was belatedly completed and as such, there is no question of any misappropriation of government fund. In support of the same, he has relied upon a certificate issued by the Panchayat Secretary of Harsar Gram Panchayat (Annexure



2) wherein it has been certified that the work in question has been completed, but belatedly.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan in connection with Daraunda P.S. Case No. 136 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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