

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35901 of 2021

Arising Out of PS. Case No.-51 Year-2020 Thana- SIKARPUR District- West Champaran

1. SMT. SHAIDA KHATOON @ SAIDA KHATOON Wife of Sri Abdul Ansari @ Abdullah Ansari President of Ward Execution and Management Committee, Ward no. 3, Panchayat Raj Rakhahi, Champapur, Police Station - Shikarpur, Block - Narkatiyaganj, resident of Village - Rakhahi, Police Station - Shikarpur, District - West Champaran.
2. SRI MUSTAQUE AHAMAD @ MUSTAQUE AHMAD Son of Shekh Kalam Secretary, Ward Execution and Management Committee, Ward no. 3, Panchayat Raj Rakhahi, Champapur, Police Station - Shikarpur, Block - Narkatiyaganj, resident of Village - Rakhahi Champapur, Police Station - Shikarpur, District - West Champaran.
3. SMT. SHAMSUL NESHA @ SAMSUN NESHA Wife of Yunus Khan @ Inush Khan President of Ward Execution and Management Committee, Ward no. 9, Panchayat Raj Rakhahi, Champapur, Police Station - Shikarpur, Block - Narkatiyaganj, resident of Village - Rakhahi, Police Station - Champapur, District - West Champaran. VILL CHAMPUR
4. SRI AYUB KHAN @ AYYUB KHAN Son of Late Suleman Khan, Secretary Ward Execution and Management Committee, Ward no. 9, Panchayat Raj Rakhahi, Champapur, Police Station - Shikarpur, Block - Narkatiyaganj, resident of Village - Champapur, Police Station - Shikarpur, District - West Champaran.
5. SRI JHABBULAL RAI @ LAL RAM Son of Kashi Rai President of Ward Execution and Management Committee, Ward no. 12, Panchayat Raj Rakhahi, Champapur, Police Station - Shikarpur, Block - Narkatiyaganj, resident of Village - Budhawa, Police Station - Shikarpur, District - West Champaran.
6. SRI UMESH CHANDRA GUPTA @ UMESH CHANDRA GUPTA Son of Devi Chand Sah Secretary, Ward Execution and Management Committee, Ward no. 12, Panchayat Raj Rakhahi, Champapur, Police Station - Shikarpur, Block - Narkatiyaganj, resident of Village - Budhawa, Police Station - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33139 of 2021

Arising Out of PS. Case No.-51 Year-2020 Thana- SIKARPUR District- West Champaran

SMT. URPRAMILA DEVI @ URPRAMILA DEVI Wife of Nand Kishore Sah, Mukhiya, Gram Panchayat Raj Rakhahi Champapur, Police Station - Shikarpur, Resident of Village - Nanhkar, Police Station- Shikarpur, District- West Champaran.



... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35901 of 2021)

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.A.G.

(In CRIMINAL MISCELLANEOUS No. 33139 of 2021)

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 10-08-2022 **CRIMINAL MISCELLANEOUS No.35901 of 2021**

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 406, 409,
420 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent and the present
FIR has been instituted on the basis of written report of Block
Development Officer, Shikarpur, in which it has been alleged
that financial irregularities was committed by the petitioners
under the Scheme of Chief Minister Gramin Pay Jal Yogna.

Learned counsel for the petitioner submits that
petitioners are Mukhiya of Rakhahi Champapur Panchayat and
Chairman and Secretary of Ward Working and Management



Committee of Ward No. 3, 9 and 12 of Rakhahi Champapur Panchayat, it is next submitted that petitioners are innocent and have been falsely implicated in the case, on account of village politics, it is further submitted that the work could not be completed at the time when inspection was made on account of scarcity of labour, however, thereafter the work has been completed as has come in Para-85 of the case diary also.

Learned APP opposes the bail application, but does not dispute the submissions made by the learned counsel for the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 learned court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 51 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

CRIMINAL MISCELLANEOUS No. 33139 of 2021

Heard learned counsel for the petitioner and learned



A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 409, 420 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the FIR has been instituted on the basis of written report of Block Development Officer, Shikarpur, in which it has been alleged that financial irregularity was committed by the petitioner under the Scheme of Chief Minister Gramin Pay Jal Yogna and petitioner is the Mukhiya of Rakhahi Champapur Panchayat.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case, on account of village politics, it is further submitted that the work could not be completed at the time when inspection was made on account of scarcity of labour, however, thereafter the work has been completed as has come in Para-85 of the case diary also.

Learned APP opposes the bail application, but does not dispute the submissions made by the learned counsel for the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 learned court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 51 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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