

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49760 of 2021

Arising Out of PS. Case No.-132 Year-2021 Thana- PUPRI District- Sitamarhi

1. HEERA DEVI W/O NAGENDRA MANDAL Elected Ward Member of Gram Panchayat Raj Awapur North Ward No.- 1, P.S.- Pupri, Distt.- Sitamarhi
2. Naveen Kumar S/o Gaudi Chaudhary Working as Gram Panchayat Raj Awapur North Ward No.- 1, P.S.- Pupri, Distt.- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 20-04-2022 Heard learned counsel for the petitioners and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Pupari P.S. Case no. 132 of 2021 instituted for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

As per allegation in the FIR, Petitioners are Chairman of Managing Committee and Secretary of Ward No. 1 of Gram Panchayat Raj Awapur Noth. They have misappropriated an amount of Rs. 14,61,118/- which was advanced to them in the year 2018 to complete the work under the Scheme of Har Ghar



Nal Jal Yojna.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The scheme in question was of financial year 2017-18 and till 22.11.2018 all the work has been completed and the same is apparent from measurement book of concerned Junior Engineer. Work has been completed in the year 2018 and the FIR has been registered on 14.4.2021, which creates doubt in the authenticity of the FIR. In para 27 and 28 of the case diary witnesses have submitted that work under the Scheme has been completed but due to paucity of electricity, water pipeline is not functioning properly.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Pupari P.S. Case no. 132 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned S.D.J.M., Pupri at
Sitamarhi subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

