

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51386 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- SIMRI District- Darbhanga

1. Abu Nasar Son Of Md. Hadi Hussain Resident Of Village- Birdipur, G.P. Raj Arai, Birdipur, P.S.- Simri, District- Darbhanga, And President Of Arai Panchayat Kriyanwan Samiti Of Ward No.7
2. Firoz Alam Son Of Late Iliyas Hussain Resident Of Village- Birdipur Arai Birdipur, P.S.- Simri, District Darbhanga And Secretary Of Arai Panchayat Kriyanwan Samiti Of Ward No.7

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arshad Jameel Hashmi

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 406, 409, 420, 468 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners is innocent and have been falsely



implicated in this case. He submits that petitioner no. 1 is the President/Chairman and petitioner no. 2 is the Secretary of the Management Committee. He submits that the BDO, Singhwara vide letter No. 128 dated 17.06.2021 declared that the estimated amount for the project was Rs. 12 lacs 69,000/- which was transferred to the account of Ward implementation and Management Committee of ward No. 7 for implementation of Jal Nal Yojana. According to the measurement book, the work regarding supply of drinking water had been done to the extent of Rs. 11,34,587. He is directed the petitioners to deposit the remaining amount of Rs. 1,29,413/- into the account of Gram Panchayat. Petitioners deposited the said amount into the account of gram panchayat on 19.06.2021. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that petitioners have already deposited the said amount, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty



Five 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 Simri P.S. Case No. 30 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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