

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67310 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- BHEJA District- Madhubani

SUSHIL KUMAR MANDAL S/o Late Ram Pukar Mandal R/o Village-
Narahia, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

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

Learned counsel for the petitioner submits that petitioner
is the Panchayat Secretary and is a person with clean antecedent.

The informant alleges that on the direction of the District
Magistrate, Madhubani, the present FIR came to be instituted against
all the Mukhiyas and Secretaries of the Panchayats who have made
expenditure from the 15th Financial Grant through cheque and
demand draft after 01.04.2021.

Learned counsel for the petitioner submits that it appears
that the FIR came to be instituted without holding a proper inquiry. It



is submitted that allegation in the FIR is clear that the Mukhiya or Panchayat Secretary, who have made expenditure through cheque or demand draft with respect to the 15th Financial Grant after 01.04.2021, should have been held liable but the petitioner has very clearly stated at para 8 and 9 of the anticipatory bail application that no such expenditure was made by cheque or draft after 01.04.2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Bheja P.S. Case No. 57 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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