

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8184 of 2023**

Arising Out of PS. Case No.-165 Year-2022 Thana- BAKHARI District- Begusarai

1. MADHURI DEVI WIFE OF SRI SUDHIR KUMAR SINGH @ SUDHIR SINGH R/v- Bakhri, Ward No. 14, (New Ward No. 13), P.O. and P.S. Bakhri, District- Begusarai
  2. ASHOK RAI Son of Late Badlu Rai @ Late Badlu Mahto R/v- Makhachak, Ward No. 7, (New Ward No. 19), P.O. and P.S. Bakhri, District- Begusarai
- ... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Awnish Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      18-04-2023                      Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 406 / 409 of the Indian Penal Code.

It is alleged that excess payments were made to the suppliers in the purchase of Eicher Model Tractor – 242, Hydraulic Trailer, Succession Machine and Fogging Machine. It is further alleged that irregularities were also committed in the purchase of four Cylinder Power Tractor (J.C.B. Set), Dust Bin, Dust Bin with metal frame, CCTV Camera, Construction of Welcome Gate, Installation of Street Light and High Mast Light, installation of LED Street Light with Pole, LED High Mast Light and several development schemes under Ward No. 6.



It is submitted on behalf of petitioners that at the relevant time, petitioners were Ex Councillors, Nagar Panchayat, Bakhri and they have got no concern with the alleged purchased materials. Petitioners were neither the members of any Purchase Committee nor they are the members of Empowered Standing Committee of the Municipality. The entire purchase was made on the decision taken by the Purchase Committee and Empowered Standing Committee and thereafter, payments were made by the Executive Officer and as such, petitioners cannot be held responsible for the same. It is further submitted that the resolution of the Purchase Committee was approved by the Board, which was the collective decision and petitioners alone cannot be held responsible for the commission of offence.

Learned A.P.P. for the State has opposed the bail petition.

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 C.J.M., Begusarai in connection with



Bakhri P.S. Case No. 165 of 2022, subject to condition as laid  
down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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