

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10459 of 2023

Arising Out of PS. Case No.-534 Year-2022 Thana- SONEPUR District- Saran

1. CHAMPA DEVI W/O VIJAY KUMAR SINGH @ VIJAY SINGH EX-
WARD MEMBER, WARD NO. 8, SABALPUR MADHYAWARTI, CHAIN
TOLA, P.O. AND P.S.- SONEPUR, DISTRICT- SARAN R/V- SABALPUR
MADHYAWARTI, CHAIN TOLA, P.S.- SONEPUR, DISTRICT- SARAN
2. SUNIL SINGH S/O KRISHNA SINGH R/V- SABALPUR
MADHYAWARTI, CHAIN TOLA, P.S.- SONEPUR, DISTRICT- SARAN

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Rekha Prasad , Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-07-2023 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case registered

for the offence punishable under sections 406, 409, 379 and 34

of the Indian Penal Code.

Petitioners are alleged to have defalcated the Govt.

fund of Nal Jal Yojana.

It is submitted that petitioners are innocent and have

falsely been implicated in this false and concocted case due to

previous enmity with Mukhiya and previous Gram Panchayat



Secretary. Petitioner no. 1 was ward member of ward No. 2 and petitioner no 2 was Ward Secretary who were doing all development work of “Nal Jal Yojna” but Mukhiya and Panchayat Secretary interfered in the work entrusted to petitioner and made pressure and also threatened that work of panchayat is not possible without their interference and did the works themselves forcibly took signed cheques and encashed against the said illegal overt act of the then Mikhiya and Panchayat Secretary, Petitioner no 1 had complained before the District Magistrate, Saran on 27.03.2019 and also complained before the Block Development Officer, Sonapur, Saran on 25.03.2019 which were duly received. From perusal of F.I.R. it also appears that Mayank Kumar (Technical Assistant) submitted measurement book for completion of work of Rs. 4,94,158/- on 30.07.2021 and cheques were alleged to be issued in 2018 but F.I.R. has been lodged on 25.07.2022 i.e. after 1 to 3 years but no explanation has been given for such delay. Petitioners claims clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each



with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra (Saran) in connection with Sonapur P.S. Case No 534 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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