

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.16688 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- SAHARGHAT District- Madhubani

1. Rani Devi Wife Of Arvind Kumar Mahto @ Arvind Mahto R/O Vill.- Taraiya East, Near Durga Mandir Taraiya Ward No. 14, P.O.- Taraiya, P.S.- Saharghat, Distt.- Madhubani, Bihar- 847102
2. Jaynarayan Mandal @ Jaynarayan Mahto Son Of Late Arjun Mandal R/O Vill.- Taraiya Ward No. 14, Madhawakule Block, P.O.- Taraiya, P.S.- Saharghat, Distt.- Madhubani, Bihar- 847102 Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Labh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-06-2023 Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for the offence under sections 409/420/34 of the Indian Penal Code.

As per the prosecution case, in spite of allocation of fund, though the work was completed, but there was no regular supply of the water in the ward. At the relevant time, petitioner no.1 was ward member and petitioner no.2 was ward secretary of ward no.14.

It is submitted by learned counsel for the petitioners that regular supply of water is the responsibility of the present office bearers and petitioners cannot be held responsible for the same. Moreover, petitioners have already completed the work of Nal Jal Yojana and to this effect concerned authority has also submitted its report dated 24.5.2022. Petitioners claim clean antecedent.



Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned 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 Judicial Magistrate 1st class Benipatti in Saharghat Police Station Case No. 150 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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