

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15430 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

1. Rambha Devi Wife Of Raghunath Mahto R/O Village- Jita Chhapra, P.S.- Sahebganj, District- Muzaffarpur
2. Raghunath Mahto Son Of Jitan Mahto R/O Village- Jita Chhapra, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Syed Firoz Raza, Advocate
For the State	:	Mr.Ramesh Chandra, Addl Public Prosecutor
for the informant	:	Mr. Saptashwa Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioners, the State and the informant.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 420/120B/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, these petitioners along with other accused persons defalcated Rs.16.14 lacs which was given to them for construction of drainage under the Nal Jal Yojana.

Learned counsel appearing for the petitioners submits that the complainant is ward member of the Panchayat and due to political rivalry this false and concocted case has been lodged. Work in question and the necessary fund was given to



one Vikash Traders and it was his duty to complete the work. Petitioner no.1 is Mukhia and petitioner no.2 is her husband. The cheque was issued and handed over to the contractor. The only duty of petitioner no.1, who was Mukhjia of the Panchayat, was to supervise and monitor the work. Petitioners claim clean antecedent.

Learned counsel for the State as well as the informant oppose the prayer for bail.

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 Chief Judicial Magistrate, Muzaffarpur west in Sahebganj Police Station Case No. 345 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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