

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36090 of 2023

Arising Out of PS. Case No.-596 Year-2022 Thana- SHEKHPURA District- Sheikhpura

AJIT KUMAR Son of Bharat Prasad Singh Resident of village-Toi, Police Station-Barbiga, District-Sheikhpura. The then Panchayat Secretary, Gram Panchayat Lodipur, Police Station-Sheikhpura, District-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

WITH

CRIMINAL MISCELLANEOUS No 36913 of 2023

Arising Out of PS. Case No.-596 Year-2022 Thana- SHEKHPURA District- Sheikhpura

SANTOSH PRASAD S/O BHARAT PRASAD R/O Mohalla. Hudhudda, Hurlura Baba Path, PS. Hazaribagh Sadar, Dist. Hazaribagh, Jharkhand, at present posted as Junior Engineer, Minor Irrigation Department, Sheikhpura, PS. and Dist. Sheikhpura, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No 36090 of 2023)

For the Petitioner/s : Mr Bipin Kumar, Advocate

For the Opposite Party/s : Mr Parmeshwar Mehta, APP

(In CRIMINAL MISCELLANEOUS No 36913 of 2023)

For the Petitioner/s : Mr P N Shahi, Sr Advocate with

Mr Mritunjay Kumar, Advocate

For the Opposite Party/s : Dr Indihar Kumari, APP

CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 29-08-2023 Heard learned counsel for the petitioners and the learned APP.

2 The petitioners apprehend arrest in Sheikhpura (Kushumbha OP) PS Case No 596 of 2022 registered for the offence punishable under Sections 419, 420, 409 of Indian Penal Code.



3 As per the prosecution case, the petitioners along with the Mukhiya of the Gram Panchayat did not carry out the work as per the plan and, thus, misappropriated the Government money.

4 Learned counsel for the petitioner submits that due to corona virus, the work was stopped and when the situation became normal, all the works have been completed as per order. It is next submitted that measurement book has already been prepared.

5 Learned APP has vehemently opposed the prayer for anticipatory bail.

6 Considering the rival submissions, in the event of arrest/surrender within a period of six weeks from today, the petitioners above named be enlarged on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sheikhpura in Sheikhpura (Kushumbha OP) PS Case No 596 of 2022 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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