

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39321 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- PAROO District- Muzaffarpur

1. Janki Devi Wife of Jagdish Ram Ward Member of Ward No.- 04, Resident of village - Kalyanpur, P.O.- Karmwari, P.S.- Paroo, District - Muzaffarpur
2. Dhananjay Kumar Son of Ganpat Rai Ward Secretary of Ward No.- 04, Resident of village - Baijalpur, P.O.- Karmwari, P.S.- Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 24-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioners are named in the F.I.R. and apprehended their arrest in connection with Paroo P.S. Case No.294 of 2021 registered for the offences punishable under Section 420 and 409/34 of the Indian Penal Code.

The allegation against the petitioners is to defalcate the amount of Rs.13,50,000/- (Rupees Thirteen Lakh and Fifty Thousand) which were transferred to their bank account under the '*Nal Jal Yojana*'.

Learned counsel appearing on behalf of the petitioner



submitted that petitioners are falsely implicated in the present case due to local political issues, which is apparent from Complaint Case No. 04 of 2021, which was instituted by petitioner No.2 against the then *Mukhiya* and Panchayat Secretary. It is also pointed out that informant resiled from his earlier version and filed a compromise petition before learned Court of Additional Chief Judicial Magistrate-III, West Muzzafarpur, stating thereof that matter has now been compromised for the reason that pending work, duly executed by petitioners (as per annexure 3 of the main bail petition dated 06.06.2022). While concluding the argument it is submitted that both above named petitioners are of clean antecedent, where petitioner No.1 is a lady.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as alleged work of '*Nal Jal Yojana*' appears to be completed in terms of annexure 3, the petitioners above named, in the event of their arrest or surrender within a period of four weeks, be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief



Judicial Magistrate-III, West, Muzaffarpur/concerned Court
below where the case is pending in connection with Paroo P.S.
Case No.294 of 2021 subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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