

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40162 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Manoj Kumar Ram @ Manoj Kumar @ Manoj Ram S/O Bhagwan Ram R/O
Village- Daharak, P.S- Ramgarh, Distt.- Kaimur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Sanjay Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Uday Pratap
Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ramgarh P.S. Case No. 148 of 2023, registered under
Section 409 and 420 of the Indian Penal Code.

The prosecution case, in brief, is that petitioner
being Mukhiya of Gram Panchayat, Sahuka installed 50 street
lights under the scheme sponsored by the Government at the
cost of Rs. 13,500/- each light while the market value of the
said street light is Rs. 3,000/- per light and, thereby, by
hatching up conspiracy misappropriated an amount of Rs.
5,25,000/-.

Learned counsel appearing on behalf of the
petitioner submitted that petitioner is a Mukhiya and as per the



terms of the contract, the work was to be carried out by the contractor, however, in spite of his liability on the part of the contractor, the petitioner to get rid of the allegation made in the F.I.R. has already deposited the entire amount of Rs.5,25,000/- in the A/c No. 738870100099228, dated 30.05.2023 of Gram Panchayat, Sahuka in the light of the order of the District Magistrate, Kaimur vide Memo No. 1382, dated 16.05.2023. The petitioner has brought on record the acknowledgment duly signed by the Panchayat Secretary, Sahuka as contained in Annexure-3.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation made in the F.I.R. as well as the fact that the petitioner has already deposited the entire amount, which would be appear from Annexure-3 of the bail application. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Mohania, Kaimur in connection with Ramgarh P.S. Case No. 148 of 2023, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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