

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48110 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- BHEJA District- Madhubani

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1. Raja Hussain @ Raja Husain S/o Balakat Hussain Resident of Village-Parwalpur, P.S.- Bheja, District- Madhubani.
 2. Md Tauheed @ Md Tohid Alam @ Tauheed Alam S/o Abbas Resident of Village- Parwalpur, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-03-2023 Heard learned counsel for the petitioners and learned
Spl. P.P. for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 420, 409, 34 of the IPC.

As per prosecution case, petitioners are Chairman and Secretary of the Ward No. 11 and both have misappropriated the government fund of Rs. 4,79,050/-as they have not completed their work under the scheme of Chief Minister Rural drinking water.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. The work in question has been completed and for the same a joint report dt. 30.12.2022 was submitted by the concerned authority, which is mentioned in para 4 of the supplementary affidavit. They have no criminal antecedent. It is further submitted that the petitioner no. 1 is languishing in judicial custody since 30.12.2021 and petitioner no. 2 is in custody since 15.05.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bheja P.S. Case No. 101 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Jhanjharpur (Madhubani).

(Sunil Kumar Panwar, J)

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