

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49614 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- DALSINGHSARAI District- Samastipur

1. Shyam Sundar Rai Son of Sonelal Rai Resident of village - Depura Nawada, P.S. - Dalsinghsarai, Distt. - Samastipur
2. Guddu Kumar Son of Ram Pravesh Ray Resident of village - Depura Nawada, P.S. - Dalsinghsarai, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioner, State and informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 406 and 420 of the Indian Penal Code.

3. It is alleged that petitioners, being *Adhyaksh* and *Sachiv* of Ward No. 14 of Nawada Panchayat respectively, withdrawn Rs. 13,72,000/- for work under *Nal-Jal Yojna* and Rs. 2,00,000/- for *Pakki Gali Nali Yojna*, but they did not complete entire work and thus, misappropriated government fund of Rs. 2,15,419/- and also embezzled Rs. 1908/- under *Nal-Jal Yojna*.



4. It is submitted on behalf of petitioners that from bare perusal of Measurement Book (Annexure 2 series), it is apparent that work with respect of Rs. 2,15,417/- has already been completed, duly signed by the Superintending Engineer and balance amount of Rs. 1908/- of *Nal-Jal Yojna* has already been deposited in the bank account of the Executive Committee of Ward No. 14, vide Annexure – 3.

5. Learned counsel for the informant has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Dalsinghsarai, District – Samastipur in connection with Dalsinghsarai P.S. Case No. 229 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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