

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70993 of 2022**

Arising Out of PS. Case No.-200 Year-2022 Thana- BRAHMPUR District- Buxar

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Mahendra Thakur, S/o Late Raghu Nath Thakur, Resident of village-Diyan
(Parmeshwar), P.S.- Krishna Braham, District- Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioner named in the FIR and apprehending his arrest in connection with Brahampur P.S. Case No.200 of 2022 registered under Sections 420 and 406 of the Indian Penal Code but, later on, Section 409 read with 34 was added in the FIR.

The allegation against the petitioner is to issue cheque in excess, over sanctioned amount of Rs.13,55,385/- without completion of soil filling and pevar block brick works under Chief Minister Street Drainage Scheme.

It is submitted by learned counsel for the petitioner



that the work was about to complete and simply for the technical reason, as measurement was not done before making payment, the present implication of petitioner was made. It is submitted that petitioner is retired from the post of Panchayat Secretary, even though he is ready to pay the excess amount over sanctioned amount of Rs.13,55,385/- which appears to be of Rs.18,215/- paid as Rs.13,73,600/- in favour of Kamla Devi, Ward Chairman and Pankaj Choubey, Ward Secretary.

Learned Additional Public Prosecutor opposes the prayer of bail.

In view of the above-mentioned facts and circumstances, as petitioner is ready to pay excessive amount of Rs.18,215/- with Government treasury at the time of furnishing of the bail bond, which alleged to be paid by him in excess to the Ward Chairman and Secretary, accordingly, the above-named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No.200 of 2022, subject to the conditions as laid down under Section 438(2) of the



CrPC.

(Chandra Shekhar Jha, J.)

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