

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71048 of 2022

Arising Out of PS. Case No.-190 Year-2022 Thana- KALYANPUR District- East Champaran

1. Smt. Ratan Devi, W/o Raghuvir Mahato, R/o Village- Parsauni Wajid Ward no. -10, P.S.- Kalyanpur, Distt- East Champaran.
2. Prabhulal Mahto, S/o Late Jagdish Mahato, R/o Village- Parsauni Wajid Ward no. -10, P.S.- Kalyanpur, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No.III Mr. Bijendra Kumar Mr. Raki Alam
For the Opposite Party/s :		Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-03-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420, 409/34 of Indian Penal Code.

It is alleged that these petitioners along with other F.I.R. named accused persons misappropriated Government money which was meant for 7 Nischay Nal Jal Yojana. It is further alleged that the said money i.e. Rs. 28,61,100/- were transferred in the accounts these petitioners.

Petitioner No. 1 is Ex- Ward Member and petitioner No. 2 is Ex-Ward Secretary.

Learned counsels appearing for the petitioners submit



that petitioners are innocent and during pendency of the case petitioners have already completed entire work and to that effect Panchayat Secretary wrote letter to the S.H.O. Kalyanpur P.S. on 21.01.2023 stating therein that the remaining work has been completed by the petitioners and no work is pending, in support of which, a photostat copy of the aforesaid letter and measurement book has been annexed as Annexure-5 series to this petition.

Considering the fact that work has already been completed by the petitioners, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-3rd, Motihari, East Champaran in Kalyanpur P. S. Case No. 190 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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