

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4148 of 2023

Arising Out of PS. Case No.-2 Year-2021 Thana- SIKARPUR District- West Champaran

SURENDRA PRASAD KUSHWAHA Son of Rama Shankar Mahto Resident
of Village - Bikrampur, P.S.- Shikarpur, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 420, 406/409 of the Indian Penal Code.

Prosecution case is that this petitioner along with other accused persons committed irregularities in execution of work in the Ward area under the Chief Minister Rural Drinking Water Scheme.

Learned counsel for the petitioner submits that the petitioner was Secretary of the ward and under the scheme, local Mukihia/Panchayat Secretary/Elected Ward Members are the main persons responsible for execution of the scheme. There is no allegation of committing embezzlement of scheme fund, rather allegation is of use of substandard materials in execution



work. Similarly situated co-accused have already been allowed bail by a co-ordinate bench of this Court vide order vide paragraph 12 of the bail petition. Petitioner has got no criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah in Shikarpur Police Station Case No. 02 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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