

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42149 of 2024

Arising Out of PS. Case No.-107 Year-2020 Thana- GHOGHARDIHA District- Madhubani

Pawan Kumar Jha SON OF CHANDRA MOHAN JHA VILLAGE- DEORH,
PS- GHOGHARDIHA, DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-10-2024 Heard Mr. Ravi Prakash, learned counsel for the petitioner as well as Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 409, 420 of the Indian Penal Code.

3. As per the FIR, petitioner is said to have committed irregularities in the Government scheme.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. Petitioner was selected for the



post of Chief Counsellor of Nagar Parishad Ghoghardiha from 09.06.2012 to 04.07.2014. The solar light was installed in the period of earlier chief councilor and not in the period of the petitioner and due to this reason the allegation alleged against the petitioner is false. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. A counter affidavit has been filed on behalf of the State in which it has been stated that the petitioner was Councilor and he was the Chief Councilor from 09.06.2012 to 04.07.2012. In his tenure, 75% solar lights became defective and the Government money was money spent for repairing inspite of the facts that these solar lights were under warranty period. Thus, the Government amount was misappropriated by the petitioner and others.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection



with Ghoghardiha P.S. Case No.107 of 2020, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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