

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83187 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

1.

SONAM DEVI WIFE OF SUBHASH PRASAD RESIDENT OF VILLAGE - MAHUARIYA, P.S. - DURGAWAYTI, DISTRICT - KAIMUR (BHABUA)
2.

MANJU DEVI WIFE OF HARINARAYAN PRASAD RESIDENT OF VILLAGE - MAHUARIYA, P.S. - DURGAWAYTI, DISTRICT - KAIMUR (BHABUA)

... .. Petitioner/s

Versus

1.

THE STATE OF BIHAR
2.

BLOCK SUPPLY DEVELOPMENT OFFICER, DURGAVATI, P.S. - DURGAVATI, DISTRICT - KAIMUR (BHABUA) BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 67846 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

SAURABH PASWAN SON OF LATE BHIRGUNATH PASWAN
RESIDENT OF VILLAGE- KULHRIYA, PS- DURGAWATI, DISTT-
KAIMUR

... .. Petitioner/s

Versus

1.

The State of Bihar
2.

BLOCK SUPPLY DEVELOPMENT OFFICER, DURGAWATI, PS- DURGAWATI, DISTT- KAIMUR (BHABUA) BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 83187 of 2023)

For the Petitioner/s : Mrs.Alka Singh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 67846 of 2023)

For the Petitioner/s : Mrs.Alka Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-01-2024 As both these cases arise out of the same police station



case numbers, they are being taken up and heard together and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 409, 420 and 34 of the IPC.

4. As per the prosecution case, the petitioners are alleged to have been found indulged in misappropriation of Government fund allotted for installation of street lights under the different schemes for Khajura, District-Kaimur at Bhabhua.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. It is submitted that the petitioner no.1 was the then ward member, petitioner no.2 was the then ward Secretary and petitioner Saurabh Paswan was the Ex-Mukhiya of Khajuda Panchayat and they have completed the work but fairly submitted that at some places, the street lights have not been installed, which costs Rs.21,71,370/- and the petitioners are agreed to deposit the aforesaid amount. On the query of the Court regarding interest, learned counsel for the petitioners submits that petitioners are agreed to deposit a total Rs.25,00,000/- in the account of the Block Development



Officer, Durgavati, within a period of six months.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on **provisional bail** for a period of six months from today, in the event of their 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) each 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 Durgavati P.S. Case No.142 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. The provisional bail of the petitioners shall be confirmed by the learned court below itself on showing the receipt of deposit of Rs.25,00,000/- in the account of Block Development Officer within six months from today.

9. However, it is made clear that deposit of the aforesaid amount shall not be presumed to be accepting their guilt and it will not effect the trial of the present case.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

