

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77266 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

1. Sudhir Singh Son of Ashok Singh Resident of village- Fulli, P.S.- Kudra, District- Kaimur at Bhabua
2. Radha Prasad Son of Bal Binod Singh Resident of village- Fulli, P.S.- Kudra, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-11-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Kudra Police Station Case No. 281 of 2024, disclosing offences under Sections 420, 406, 34 of the Indian Penal Code.

3. As per the prosecution story, petitioners are Ward Member and Ward Secretary of Ward No. 5 of Gram Panchayat Siswar, Kudra. The allegation against them is that they have withdrawn a sum of Rs. 34,224/- for the maintenance work of Nal Jal Yojna but the amount in question has been misused/defalcated by them.



4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence as alleged and the present FIR has been registered on the basis of complaint made by outgoing Ward Member of the said Ward Committee. The FIR has been lodged on 03.08.2024 while the work was going on and the informant/Panchayat Secretary has issued a letter No. 26 dated 09.09.2024 stating therein that after inspection, on 09.09.2024, it has been found that all the pending work has now been completed.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the letter of the informant/Panchayat Secretary annexed at Annexure P/2 of the supplementary affidavit, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate Mohania, Kaimur at Bhabua, in connection with Kudra Police Station Case No. 281 of 2024, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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