

AB 4289/2014

BEFORE

HON'BLE MR JUSTICE UJJAL BHUYAN

Heard Ms. B. Bhuyan, learned counsel for the petitioner and Mr. B.S. Sinha, learned Addl. PP, Assam.

This is an application under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner Md. Abu Kashim apprehending arrest in connection with Hojai P. S. Case No. 338/2013 under Sections 420/468/406/409/506/34 IPC.

Allegation made in the complaint, which was subsequently treated as FIR, is that the money deposited in the account of the complainant who is a Job Card Holder for rendering work for 42 days was misappropriated by forging his signature.

Petitioner is the former President of Borpukhuri Gaon Panchayat.

It is submitted that the payments under the MNREGA scheme are made by the Anchalik Panchayat over which the petitioner had no control being Gaon Panchayat President.

Learned counsel for the petitioner further submits that other co-accused Sri Paresh Kr. Mandal has been granted pre-arrest bail by this Court vide order dated 11.9.2014 passed in AB No.4020/2014.

Having regard to the above, prayer for pre-arrest bail is accepted.

Accordingly, it is hereby directed that in the event of arrest of the petitioner abovenamed in connection with the aforementioned case, he shall be released on bail on furnishing bail bond of Rs.5000/- with one local surety of like amount to the satisfaction of the arresting authority subject to the condition that he shall appear before the I.O. within 10 days from today and cooperate with the investigation of the case.

Bail petition is disposed of.