

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56289 of 2017**

Arising Out of PS.Case No. -95 Year- 2017 Thana -THAKURGANJ District- KISANGANJ

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1. Santosh Nayak son of Sri Krishna Nayak resident of Thakurganj, P.S.  
Thakurganj, District Kishanganj. .... Petitioner/s

Versus

1. The State of Bihar. .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      22-11-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
14.09.2017 in connection with Thakurganj P.S. Case No. 95 of  
2017 for offences punishable under Sections 409, 419, 420, 467,  
468, 471 of the Indian Penal Code.

The prosecution case, as lodged by the B.D.O.,  
Thakurganj is that the petitioner while working as Block  
Coordinator in the Nagar Panchayat, Thakurganj, has withdrawn  
an amount of Rs. 3,26,000/- which was to be disbursed to 28  
beneficiaries for Toilet Encouragement Scheme.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, bears no criminal antecedent and has  
been falsely implicated in the aforesaid case and out of pressure of  
the higher officials, he has accepted the amount transferred by



C.S.P.. He submits that he is ready to deposit the said amount in installments.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Kishanganj, in connection with Thakurganj P.S. Case No. 95 of 2017 subject to the condition that the petitioner will deposit 30% of the alleged misappropriated amount on the day his bail bonds is filed and that he will deposit the rest amount within one year and if the petitioner does not deposit the said amount within the said specified period the learned prosecution will take steps for cancellation of his bail bonds.

However, the said amount will remain in deposit till conclusion of trial.

**(Nilu Agrawal, J)**

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