

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3448 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- BASANTPUR District- Siwan

Jagarnath Prasad, aged about 70 years, (M), Son of late Jamin Prasad,
resident of village Usari PS Basantpur District Siwan

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 28-03-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 409, 467, 468, 420
and 188 of the Indian Penal Code.

Allegation against petitioner is of embezzlement
and misappropriation of government money which has been
allotted to the petitioner, to construct 84 public toilets.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case
due to grudge and dirty local politics. Petitioner is an old man
aged about 70 years. Petitioner's N.G.O., namely, Janata



Jagrukta Kalyan Sammittee has completed the work and the utility certificates which bears signature and photographs of the beneficiaries with constructed toilets has been submitted to the concerned department. Petitioner has got no criminal antecedent and is in custody since 21.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Basantpur P.S. Case No. 11 of 2018**, with following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that
case, prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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