

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30288 of 2019**

Arising Out of PS. Case No.-229 Year-2016 Thana- BODHGAYA District-
Gaya

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JAGDISH RAVIDAS, aged about 68 years, male, Son of Late Murat Ravidas
R/O village- Muzaffarpur, P.O. and P.S.- Kathauli, District- Nalanda (Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Fakhruddin Ali Ahmad, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 02-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 408, 409/34 of the Indian Penal Code
registered in connection with Bodh Gaya P.S. Case No. 229 of
2016.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged defalcation of more than
Rs. 6,00,00,000/- in the Primary Health Centre, Bodh Gaya
related to the period 2009 to 2015. It is submitted that the
petitioner was working as clerk in the Primary Health Centre and
retired on 31.03.2011, duly handing over charge with all
documents to the next incumbent Mukesh Kumar Singh without
any deficiency being pointed out and the petitioner has been



receiving his retiral benefits accordingly. It is submitted that all the payments made during the period when the petitioner was working as clerk have been made through bank. The allegation of non-production of documents by the petitioner has not been found true in the departmental inquiry. The petitioner's case stands on better footing than his successor in office Mukesh Kumar Singh as well as the D.D.O. at the relevant time Sri Binod Kumar Verma and the present incumbent clerk co-accused Shiv Kumar Verma, all of whom have been granted bail by the learned District & Sessions Judge, Gaya. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 229 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.



(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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