

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2340 of 2020

Arising Out of PS. Case No.-195 Year-2019 Thana- MANIGACHI District- Darbhanga

Bipin Paswan Son of Mahendra Paswan Resident of Village - Putai, P.S.-
Manigachi, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-05-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Manigachi P.S. Case No. 195 of 2019**, registered for the offences punishable under Sections 406, 409, 420 and 34 of the Indian Penal Code.

Allegation against the petitioner being the Chairman of the Implementation and Management Committee, Ward No. 1 of Gram Panchayat Raj, Mathaur is that he misappropriated government money, sanctioned under the “Jal Nal Yojana” and did not complete the work under the said scheme within the stipulated time.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner has committed no offence. It is further submitted that the total



amount sanctioned under the 'Nal Jal Scheme' for ward no. 1 was Rs. 12.69 lakhs and the said amount was transferred in the bank account of the said Committed in two installments of Rs. 08 lakhs on 03.07.2018 and Rs. 4.69 lakhs on 10.06.2019 out of which RS. 4,67,037 is still in the bank account and from the measurement book it is apparent that the work done of an amount of Rs. 8,25,523 has been completed till 20.10.2019. It is further submitted that petitioner is ready to complete the rest of the work within three months. Petitioner is in custody since 22.11.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of this case and the undertaking given by the petitioner that the rest of the work will be completed within three months, the petitioner above-named, is directed to 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 the learned **Additional Chief Judicial Magistrate V, Darbhanga in connection with Manigachi P.S. Case No. 195 of 2019** subject to following conditions:-

(i) The petitioner will submit work completion report **within three months in the court below**, failing which the court below is at liberty to cancel the bail bond of the petitioner



and dispose of the case in accordance with law.

(ii) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) 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.

(Prabhat Kumar Singh, J)

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