

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15878 of 2020

Arising Out of PS. Case No.-223 Year-2019 Thana- SHAMBHUGANJ District- Banka

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Srikant Sinha @ Srikant Prasad Sinha Son of Late Visheshwar Mandal
Resident of Village - Jageshwarpur Ward No. -13, P.S.- Kahalgaon, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 16-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State through Video Conferencing.

In this case, the petitioner is seeking regular bail in
connection with Shambhuganj P.S. Case No. 223 of 2019
registered for offence punishable under sections 406, 409, 420,
467 and 468/34 of the Indian Penal Code.

Allegation has been made that under the aegis of the
State Government, Rural Nal Jal 07 Nischay Yojna was
implemented, for that, Rs.11,93400/- was credited in the account
of the Panchayat Mirzapur, Ward No. 5 and it was found that
they have completed work of Rs. 403441/- and rest amount of
Rs. 6,90,059 has been swindled by the petitioner and Mukhiya.
The petitioner is in jail since 23.12.2019.



Learned counsel for the petitioner submits about the fact came in paragraph 23 and 24 of the case diary from where it appears that Rs,690059/- has been credited to the account of the Mirzapur Panchayat, Ward No. 5.

In view of the statement made at the Bar, let the petitioner above named be released on **provisional bail** on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 223 of 2019, subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

The court below is directed to call for the records from the Bank pertaining to deposit of Rs. 690059/- as it has been stated that the said amount has been credited in the account of the Mirzapur Panchayat, Ward No. 5. If it is found that the



amount has been credited in the Mirzapur Panchayat, Ward No. 5 then the provisional bail granted to the petitioner will be confirmed, but if it is found that Rs.690059/- has not been credited to the Mirzapur Panchayat, Ward No. 5, in such circumstances, the provisional bail granted to the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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