

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16126 of 2020

Arising Out of PS. Case No.-20 Year-2019 Thana- BARUN District- Aurangabad

SAMIRAN PASWAN @ SUMIRAN PASWAN S/o Late Munshi Paswan
Resident of Village- Ithat, P.S.- Barun, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Senior Advocate Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-06-2020 Heard learned Senior Counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Barun P.S. Case No.20 of 2019 registered for the offence punishable under Sections 420 and 409 of the Indian Penal Code.

The petitioner has been described as Secretary of managing committee, constituted for implementation of different government schemes in Ward No. 2 in Gram Panchayat Khaira of Aurangabad. It is alleged against him and the Chairman of the managing committee that they withdrew the entire amount for implementation of certain schemes without completing the work.



Mr. Krishna Prasad Singh, learned Senior Counsel appearing on behalf of the petitioner, has made two submissions. Firstly, he has submitted that admittedly substantial work has been done under the scheme and no offence punishable under Section 409 of the Indian Penal Code can be said to be made out on the basis of what has been alleged in the First Information Report. He has secondly submitted that the petitioner undertakes to ensure that the entire work is completed within one month from his release, if he is allowed to be released on bail by this Court.

Considering the above submission, this application is allowed.

Let the petitioner, above named, be released 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 C.J.M., Aurangabad, in Barun P.S. Case No. 20 of 2019.

The Court expects that in terms of the undertaking given on behalf of the petitioner, as noted above, the entire work must be completed to the satisfaction of the Deputy Development Commissioner, Aurangabad. The prosecution shall be required to apply for cancellation of petitioner's bail, allowed by virtue of this order, if he fails to complete the work in



question.

(Chakradhari Sharan Singh, J)

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