

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23811 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- BARIYARPUR District- Munger

SHYAMDEO PASWAN Son of Late Sahdeo Paswan Resident of Village -
Ratanpur, P.S. - Bariyarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-09-2020 Heard Mr. Ram Sevak Choudhary, learned counsel
for the petitioner and Mr. Narsingh Tanti, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Bariyarpur P.S. Case No. 66 of 2019 registered for the offence
punishable under Section 420, 406 of the Indian Penal Code,
1860.

The allegation against the petitioner as per the First
Information Report lodged by the B.D.O., Bariyarpur is that
petitioner is the Ward Member, who along with Member
Secretary and the supplier committed financial mismanagement
in the functioning of the ward and the Managing Committee.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case inasmuch as work for which amount was withdrawn has been completed and allegation in the F.I.R. is only of procedural lapses. Learned counsel further submits that cheque was signed by both Ward Member- cum -President and Member Secretary and the Member Secretary has been granted bail by this court in Cr. Misc. No. 86740 of 2019 and the co-accused Saurabh Kumar , who is the supplier, has also been granted bail by this court in Cr. Misc. No. 1328 of 2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that co-accused persons have been granted bail by this court and the petitioner is in custody since 11.02.2020 , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Munger / court concerned in connection with Bariarpur P.S. Case No. 66 of 2019 on the following conditions:-

(i) Bailors should be local having

sufficient immovable property within the



territorial jurisdiction of the court concerned.

(ii) 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 case of his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(iii) If the petitioner tampers with the evidences or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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