

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12258 of 2021**

Arising Out of PS. Case No.-47 Year-2020 Thana- BAHERA District- Darbhanga

PANKAJ KUMAR JHA Son of Chhote Lal Jha Resident of Village - Sajhuar,
P.S.- Bahera, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms/Mrs. Shama Sinha, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-06-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 420/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, petitioner who happens to be the Mukhiya illegally transferred Rs. 5 lakhs, without administrative sanctions, in the account of Ward Kriyanvayan Avam Prabandhan Samiti of which co-accused of this case are the joint holders and thereafter got transferred Rs. 4.95 Lakhs in his own personal account in the name of execution of work under Jal Nal scheme but he did not execute the work.

Learned counsel for the petitioner submits that as per



measurement book, work of boring sunk over the plot of lone Yogendra Mahto of worth Rs. 2,20,745/- has already been completed and the petitioner is ready to deposit the remaining amount of Rs.2.75 lacs in the court below, subject to the final result of the case.

Considering the undertaking of the petitioner, let the petitioner deposit the aforesaid amount within three weeks from today before the Court below on doing so, he will 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 Additional Chief Judicial Magistrate I Benipur, Darbhanga in Bahera Police Station Case No. 47 of 2020/GR No.42 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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



(2) It is made clear that the deposit of the aforesaid amount would be subject to the final decision of the case.

(Prabhat Kumar Singh, J)

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