

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15331 of 2021**

Arising Out of PS. Case No.-199 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

Raj Kumar Thakur @ Raju Kumar Thakur S/O- Nandji Thakur Resident of
Village- Kulahariya, Police Station- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Satyendra Pd. A.P.P.

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

2 22-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Buxar (M) P.S. Case No. 199 of 2019, registered for the offence under Sections 420, 406 and 34 of the Indian Penal Code.

As per allegation made in the FIR, the co-accused persons including this petitioner, who happens to be ward member of ward no. 10, in spite of having received the sum of Rs. 14,28,600/-, did not complete the work, for which, the said allotment was made within the time of three months fixed.

It is submitted on behalf of petitioner that the work has been allotted by panchayat to a contractor namely Deepak Kumar Yadav and he is responsible for completion of work. Petitioner was simply a member of the ward management



committee and money was allotted to the committee, not to the petitioner. In fact, 90 % of the work has already been done and only some part of the work has not been completed. Similarly situated co-accused Ramesh Kumar Singh has already been granted bail by a coordinate Bench of this Court, vide order dated 04.01.2021 passed in Cr.Misc. No. 17730 of 2020. Petitioner claims clean antecedent and he is in custody since 09.02.2020.

Learned A.P.P. for the State has opposed the bail petition.

Having heard learned counsel for the parties and taking into consideration the facts & circumstances of the case as well as nature of allegation and the material that transpired in course of investigation, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 199 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his



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.”

(Prabhat Kumar Singh, J)

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