

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30149 of 2021

Arising Out of PS. Case No.-46 Year-2014 Thana- KATHAIYA District- Muzaffarpur

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Pramod Kumar @ Pramod Kumar Singh Son of Sri Mahendra Prasad Singh
Resident of Village - Kalwari, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Samir Kumar

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kathaiya P.S. Case No. 46 of 2014, registered for the offence under Sections 409 and 420 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other FIR named accused persons committed irregularity in disbursing the fund and misappropriated the government fund of “*Bagh Bachao Abhiyan*”, which was carried out by the government.

It is submitted on behalf of the petitioner that petitioner was given Rs. 1,00,810/- (one lac eight hundred ten) and out of which, Rs. 60,810/- was utilized and rest amount of Rs. 40,000/- was already returned back to the department



concerned and as such, there is no question of embezzlement of government fund. At the relevant time, the petitioner was deputed on the post of Bihar Agriculture Coordinator and it was the duty of *Krishi Salahkar* to mark the persons, who are to be paid fund from the department and petitioner was only there to supervise the work. Petitioner is in custody since 07.01.2021. Chargesheet has already been submitted.

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

Considering the aforesaid facts and circumstances, 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 J.M. 1st Class, Muzaffarpur in connection with Kathaiya P.S. Case No. 46 of 2014, 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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