

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30324 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- PIPRA District- Supaul

Badri Narayan Sardar @ Badri Nr. Sardar Son Of Late Dhuthar Sardar R/O
Village- Bhaiya Ram Chakla, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Nikesh
For the Opposite Party/s : Mr.Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Pipra P.S. Case No. 218 of 2020, registered for the offence under Sections 406, 409, 420, 120-B of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other FIR named accused persons committed irregularity in the construction of lane drainage under *Gali Naali Pakkikaran Yojna* in the concerned ward and defalcated the government money.

It is submitted on behalf of petitioner that petitioner is Mukhiya of the Gram Panchayat, Dubiyahi and as per guideline, the aforesaid construction work was to be done by *Ward Vikas Samiti* under the chairmanship of Ward Member of the



concerned ward and Petitioner, being Mukhiya, has no role to play in implementation of the aforesaid scheme of government. It is further submitted that one of the co-accused Lalit Sardar has already deposited the money of defalcation and to this effect, the Block Development Officer, Pipra has submitted a report, vide Letter No. 1917 dated 25.11.2020, which is kept at Annexure – 4 to the bail petition. Petitioner is an old aged person and is in custody since 01.02.2021. 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 A.C.J.M. - VI, Supaul in connection with Pipra P.S. Case No. 218 of 2020, 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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