

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29786 of 2020**

Arising Out of PS. Case No.-227 Year-2019 Thana- MADHEPURA District- Madhepura

LALAN MISTRI Son of Late Panchu Mistri Resident of Village-Bhatrandha  
Tola-Aurahi, Ward No.-2, P.S.-Madhepura (Parmanandpur O.P.) (Ghailadih),  
District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr. N. Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      06-01-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the  
offences under Sections 406, 409, 420 and 120B of the Indian  
Penal Code.

The prosecution case in short is that the accused  
persons misappropriated the fund meant for welfare scheme of  
the government.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 12.2.2020 and has got no  
criminal antecedent. There is no allegation of tampering of  
witnesses alleged against the petitioner. Charge-sheet has been  
submitted in the present case. The petitioner happens to be



Mukhiya of the concerned Panchayat. The Ex-Panchayat Secretary has also been made accused in the present case. The case relates to misappropriation of public fund to the tune of Rs. 18.5 lakhs. The other co-accused i.e. Ex-Panchayat Secretary has been granted bail by a coordinate Bench of this Court vide order dated 07.12.2020 passed in Cr. Misc. No. 9334 of 2020. The petitioner wants his bail application to be disposed of in the same terms.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Parmanandpur O.P.) P.S. Case No. 227 of 2019 subject to the condition that the petitioner shall deposit 50 % of the amount of Rs. 8,62,248.00/- + Rs. 20837.00 = Rs. 883085/- in 12 equal installments, first installment of which shall be deposited before the Court below by 6<sup>th</sup> February, 2021, whereafter he shall be released on bail. Subsequent installments shall be required to be deposited by him within 15 days of every



month in the Court below, failing which his bail bonds shall be liable to be cancelled. Further, the Court below is directed to ensure that the trial is expedited. The deposit made by the petitioner shall be subject to final disposal of the case.

**(Sudhir Singh, J)**

Pankaj/-

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