

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48200 of 2021**

Arising Out of PS. Case No.-13 Year-2021 Thana- GHORASAHAN District- East
Champaran

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Ramniwash Prasad @ Ramnivash Prasad S/O Late Ganesh Prasad R/O
Village-Jhajhara, P.S-Jitna, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The present matter is being taken up out of turn on the
mentioning slip filed on behalf of the petitioner stating therein
that the petitioner is a candidate of Mukhiya of concerned
panchayat, for which nomination will start from 26.10.2021. Let
the mentioning slip filed on behalf of the petitioner be kept on
record.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Ghorasahan (Jitna) P.S. case No.13/2021 registered under



Sections 420, 409, 504, 506, 34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner misappropriated the public fund of different schemes.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner has been made accused due to mistake of fact. The petitioner happens to be the Mukhiya of the concerned panchayat. The works were allotted to different agencies, who were to carry out Nal Jal Yojna and Nali Gali Yojna along with other public schemes. The work for Rs.8,86,000/- was to be completed but the allegation is that the accused persons had misappropriated the public fund. It is further submitted on behalf of the petitioner that the petitioner is ready to deposit an amount of Rs.1 lac in the court below within a period of eight weeks, which shall be subject to the final disposal of the case.

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

Considering the facts and circumstances of the case,
the petitioner, above named, is directed to deposit an amount of Rs.1 lac in the court below within a period of



eight weeks, which shall be subject to the final disposal of the case. On doing so, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M.-3, Sikrahna at Dhaka, East Champaran in connection with Ghorasahan (Jitna) P.S. case No.13/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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