

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37489 of 2020

Arising Out of PS. Case No.-315 Year-2020 Thana- NAUBATPUR District- Patna

Manoj Kumar, S/o Late Shri Madan Ram R/o Village- Ajwan, P.S. Naubatpur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-04-2021 Heard Mr. Helal Ahmad, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned APP

for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Naubatupr P. S. Case No. 315

of 2020 dated 18.06.2020, instituted for the offences

under Sections 409 and 420/34 of the Indian Penal

Code.

The present case is the outcome of a complaint

lodged by the Block Development Officer, Naubatpur,

alleging that the money which was meant for being

spent on the Chief Minister's Potable Water Project has



not been spent in the manner in which it had to be spent. On inspection of the work by a Technical Assistant, it was found that the work was incomplete and whatever work was done was also defective.

The learned counsel for the petitioner has submitted that an absolutely false case has been lodged against the petitioner who is the Chairperson of the Managing Committee. He has further submitted that the Mukhiya and Panchayat Samiti did not transfer the whole amount to him and in fact the entire work which had to be completed, was executed and finished in all respects.

It has further been submitted that the Technical Assistant did not inspect the records as well as the work done properly and has erroneously found the defects.

The petitioner was never put to any notice before the present case was lodged.

Considering the nature of accusation against the petitioner, this Court is inclined to grant anticipatory bail to him.



The petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Danapur, in connection with Naubatpur P. S. Case No. 315 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

However, the petitioner shall participate in the investigation and shall render all assistance to the Investigator. In case it is found that he is not cooperating in the investigation, his bail shall be rendered liable to be cancelled.

Apart from this, if the petitioner is charge-sheeted, he shall participate in the trial and his absence from the trial proceedings would again render his bail liable to be cancelled at any stage.



With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

