

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7919 of 2022

Arising Out of PS. Case No.-262 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

SANTOSH KUMAR SINGH Son of Biran Yadav Resident of Village -
Bhelai, P.s.- Udwant Nagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Udwant
Nagar P.S. Case No. 262 of 2021 registered for the offence
under Sections 406, 409 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.10.2021.

The allegation against the petitioner is not to utilize
alleged amount of Rs. 11,00,000/- for Nal Jal Yojna and on
inspection, it was found in work book that work of Rs.
3,72,042/- was only completed and balance amount was
withdrawn illegally for personal gains.



Learned counsel appearing on behalf of the petitioner submitted that alleged withdrawal was not in exclusive domain of the petitioner as it was mandatory to be signed by Ward Chairman also. It has further been submitted that from bare perusal of FIR, only Rs. 10,000/- received by the petitioner and same found not be received illegally, during course of investigation, out of allotted fund for Nal Jal Yojna. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, appearing on behalf of State, opposes the prayer for bail of the petitioner.

Considering the facts and circumstances as mentioned above, as petitioner was not the sole signatory to withdraw the allotted fund, where, petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Udwant Nagar P.S. Case No. 262 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned CJM, Bhojpur at Ara,
subject to the following conditions:

“(i)Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Munna Kumar, who is the cousin of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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