

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22516 of 2021

Arising Out of PS. Case No.-96 Year-2013 Thana- MADHUBAN District- East Champaran

Dineshwar Prasad Singh, Son of Late Sital Singh @ Sheetal Singh, Resident
of Village- Mogalniyan, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

4 03-01-2022 The applicant/accused in Crime No. 96 of 2013 registered with Madhuban Police Station for the offences punishable under Sections 420 and 409 of the Indian Penal Code at the instance of first informant Shree Ram Mahto, by this application is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He argued that now the investigation of the crime is over and the charge sheet has already been filed. It is further pointed out that the applicant is behind the bars from 15.12.2020.

The learned Additional Public Prosecutor opposed the application by relying the counter affidavit filed by the Investigating Officer and submitted that the applicant had



misappropriated an amount of Rs.21,68,972/- which was earmarked for effecting construction in the school premises. It is argued that no such construction was done by the applicant/accused.

I have considered the submissions so advanced and also perused the material placed before me.

The investigation of the crime is already over and the charge sheet has already been filed. The applicant/accused has already undergone pretrial detention for the period of more than one year. It is not pointed out that the applicant would not be available for trial, if he is released on bail. Therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 96 of 2013 registered with Madhuban Police Station for the offences punishable under Sections 420 and 409 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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