

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12691 of 2022

Arising Out of PS. Case No.-33 Year-2020 Thana- PIPRIYA District- Lakhisarai

SUDARSHAN SHARMA, S/o Lalan Singh R/o village and Post- Wallipur,
P.S.- Piparia, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Piparia
P.S. Case No. 33 of 2020, dated 18.05.2020, registered for
the offences punishable under Sections 409/34 of the Indian
Penal Code.

As per allegation, the petitioner along with other
co-accused persons have misappropriated the government
fund by way of getting the money released for some
construction work but the same was not completed.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



this case. He further submits that the informant himself has orally stated that at present the work has been completed. He further submits that many of the communications of the government officials and also the mapping register shows that the work which was allotted to the petitioner has been completed.

The petitioner is custody since 27.09.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail 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 Chief Judicial Magistrate, Lakhisarai in connection with Piparia Case No. 33 of 2020 on



the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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