

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18898 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- MADHUBAN District- East Champaran

SADDAM HUSSAIN Son of Alauddin Mian Resident of Village - Sirauli,
P.s.- Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Sections 420 and 409/34 of the

Indian Penal Code.

As per allegation Rs 31,17,000/- was sanctioned in

respect of work of Ghar Nal Yojna. The said work was to be

completed by a Samiti consisting of petitioner's father, mother

and some other accused persons who allegedly withdrew the

sanctioned amount in advance without getting work completed

and thereafter as per report of the technical assistant some part

of the sanctioned work worth Rs 10,22,800/- was completed but



rest part of the sanctioned work remained incomplete.

The main submissions advanced by the learned counsel for the petitioner are that petitioner is simply stated to be son of co-accused persons and due to this reason, he has been implicated in this case and he has got no criminal antecedent. Further submission is that after investigation was started in the present case, the Investigating Officer enquired about alleged matter from the officer concerned who submitted his report as annexure 3 and according to the said report the work for which alleged amount was sanctioned has been completed and accordingly, no wrong has been committed by the accused persons. Further submission is that two co-accused persons, namely, Shri Devendra Paswan and Sahjahan Khatoon who are stated to be secretary and panchayat secretary of said grampanchyat have been considered for regular bail by a coordinate bench of this court and by this court vide order passed in Cr. Misc. no. 9370 of 2022 and Cr. Misc. no. 13585 of 2022 and case of this petitioner stands on better footing.

Learned APP opposed the prayer for bail.

Having considered the above submissions and mainly the fact that it was the co-accused persons who were mainly entrusted for completion of allged work have been considered



for regular bail vide orders passed in the above mentioned miscellaneous cases and petitioner is stated to be son of co-accused persons and as per his petition he has got no criminal antecedent, accordingly, a lenient approach may be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari District East Champaran in Madhuban P.S Case No. 57 of 2021.

(Shailendra Singh, J)

s.hassan/-

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