

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31084 of 2021

Arising Out of PS. Case No.-200 Year-2019 Thana- BAIRIYA District- West Champaran

SHYAMSUNDER CHAUDHARY S/o Puran Choudhary Resident of Village-
Naya Tola, Ganj No.-1, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bairiya P.S. Case no. 200 of 2019 instituted for the offence
under Sections 409 and 420 of the Indian Penal Code.

As per allegation in the FIR, the financial
irregularities were committed by the petitioner being Mukhiya
of Raj Siswa Sareya Panchyat in collusion with the then
Panchayat Rojgar Sewak and Junior Engineer in respect of



misappropriation of the government money sanctioned for soil filling work and bricks soiling on the road in village Manjharia under Scheme No. 05 of 2019. It is further alleged that the work was divided in two phases but the accused persons withdrew the government money without completing second phase of work.

It is submitted by learned counsel for the petitioner that on the order of the Additional Secretary, Rural Development Department, Government of Bihar, Patna, an enquiry was made by the State Quality Monitor in pursuance of the letter issued by the Additional Secretary, Rural Development Department addressed to the District Magistrate/Deputy Development Commissioner, West Champaran, Bettiah. The State Quality Monitor made spot inquiry and found the work completed.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Bairiya P.S. Case no. 200 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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