

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35517 of 2021

Arising Out of PS. Case No.-40 Year-2020 Thana- RAIYAM District- Darbhanga

SUJIT CHOUPAL S/O- Late Ramchandra Choupal @ Late Ramchandra Das
Resident of Village - Kamaldah, P.S. - Raiyan, District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-03-2022 Heard Mr. Ranjeet Choubey, learned counsel for the

petitioner and Mr. Parmeshwar Mehta, learned A.P.P. for the

State.

Petitioner seeks regular bail in connection with
Raiyam PS Case No. 40 of 2020 registered for the offence
punishable under Sections 406, 409, 420 & 34 of the IPC.

The allegation against the petitioner in nutshell is that
the petitioner is the Secretary of Managing Committee of Ward
No. 8 of Gram Panchayat Bansera and he along with Chairman
of Ward Management Committee misappropriated the amount
allotted towards the implementation of Government scheme i.e.
Chief Minister's Nal Jal Yojana under which a sum out of Rs. 16
Lakhs allotted to the said ward Rs. 15,75000/- was withdrawn
by the petitioner but installation of pipeline and other works



regarding Nal Jal Yojana was not completed.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he was continuously implementing the scheme of the Government under Nal Jal Yojana and during pendency of the bail application of the petitioner before the learned Sessions Judge, a report was called for from the concerned Block Development Officer, Kewati regarding completion of work in the ward of the petitioner and in pursuance thereof a report has been submitted by the B.D.O., Kewati vide Letter No. 586 dated 08/03/2021 along with a letter of Block Panchayati Raj Officer, Kewati dated 06/03/2021 annexed at Annexure- P/3 to this bail application and from perusal of the same it appears that the defects in the implementation of Nal Jal Yojana have been removed and water supply through the Nal Jal connection has started for the residents of Ward No. 8. Learned counsel next submits that petitioner is in custody since 16-01-2021 and charge-sheet has been submitted in the matter. He next submits that the similarly situated co-accused / Rekha Devi has been enlarged on bail by this Court in Cr. Misc. No. 64450 of 2021.

Regards being had to the submissions made by the parties and taking into consideration Annexure- P/3 to this bail



petition which is a report of B.D.O., Kewati as well as that of Block Panchayati Raj Officer, Kewati confirming the completion of work regarding Nal Jal Scheme, the fact that petitioner is in custody since 16/01/2021 , charge-sheet has been submitted in the matter and similarly situated co-accused has been granted bail by this court, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/-(Twenty five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 5th , Darbhanga in connection with Raiyam PS Case No. 40 of 2020.

(Anil Kumar Sinha, J)

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