

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25906 of 2022

Arising Out of PS. Case No.-221 Year-2021 Thana- JHANJHARPUR District- Madhubani

RATAN SADAI SON OF LATE PHAGUNI SADAI R/O VILLAGE-
MOHNA, P.O.- SIMRA, P.S.- JHANJHARPUR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2022 Heard the parties.

Learned APP for the State filed a counter affidavit in the present case. Let the same be accepted and kept on record.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 406, 409, 420/34 of the Indian Penal Code.

Allegedly, on the direction of D.M. Madhubani, this case was lodged against Chairman and Secretary of Ward No.5 with respect to cheque no.16152 of Rs.14,31,590/-. Panchayat Secretary of Simara Panchaiyat reported that as per M.B. made by technical assistant, the work for Rs.6,33,393/- was done. As per estimate, the work is incomplete. The amount of estimate



was given in advance to the ward committee which was given to the contractor, who did not finish the work of Jal Nal Yoja. Hence, they misappropriated Rs.5,53,584/-

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that petitioner has done work for Rs.14,25,844/- from sanctioned amount of Rs.14,31,590/- as per the latest report of the work place. Petitioner has no criminal antecedent, as also mentioned in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Jhanjharpur



P.S. Case No.221 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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