

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.43112 of 2021**

Arising Out of PS. Case No.-274 Year-2019 Thana- DESARI District- Vaishali

RAJESHWAR PRASAD SINGH SON OF RAM RAJ SINGH @  
RAMARAJYA SINGH ( REVENUE KARMCHARI MAHNAR), R/O  
VILLAGE- AKHTIARPUR PATEDHA, P.S.- SARAI, DISTRICT-  
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER**

2      03-02-2022                      Heard Mr. Satya Prakash Sinha, learned counsel for  
  
the petitioner and Mr. Akshay Lal Pandit, learned Additional  
  
Public Prosecutor appearing for the State through video  
  
conferencing.

Petitioner seeks regular bail in connection with Desari  
P.S. Case No. 274/2019 registered for the offence punishable  
under Sections 406, 409, 420, 467, 468, 471 and 474/34 of the  
Indian Penal Code 1860.

As per the First Information Report, the five  
Panchayat Secretaries including the petitioner has committed  
misappropriation of fund of *Gram Panchayat Raj Nayagaon  
West* between the period 2006-2019.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case without any material and the petitioner had given charge of Panchayat Secretary in favour of Vinod Kumar Gupta in the beginning of the year i.e. on 21.02.2009, and as per the First Information Report as well as enquiry report, the majority of allegations are for the period 2015-19. Learned counsel further submits that the petitioner has no concern with the scheme of the *Nayagaon West Panchayat* and since 2009 the petitioner has been working as *Karamchari* and at present he is posted in Mahnar Block, Distt. Vaishali. Learned counsel referring to Annexure-4 series submits that similarly situated co-accused persons have been granted anticipatory bail by co-ordinate benches of this Court in Cr. Misc. 85133 of 2019, 3317 of 2020 and 26113 of 2020 respectively. The petitioner is in custody since 10.4.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that similarly situated co-accused persons have been granted anticipatory bail by co-ordinate Benches of this Court, the petitioner is in custody since 10.4.2021 having no criminal antecedent, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19



pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Desari P.S. Case No. 274/2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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