

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35637 of 2022

Arising Out of PS. Case No.-51 Year-2021 Thana- SAKURABAD District- Jehanabad

Nandu Kumar Son of Late Siya Sharan Das Resident of Village - Birobigaha,
P.S.- Shakurabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-09-2022 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
learned APP for the State.

Petitioner seeks regular bail in connection with
Shakurabad P.S. Case No.51 of 2021 registered for the offences
punishable under Sections 420, 409, 188, 120(B) of the Indian
Penal Code.

Allegedly, a sum of Rs.12,29,000/- was sanctioned
for the construction work under the Chief Minister Seven
Nishchaya Yojana scheme and the petitioner and two accused
persons withdrew the said sanctioned amount and constructed
only some part of the sanctioned work and used Rs. 2,45,000/-
in respect of the said part work but did not complete the



remaining construction work and misappropriated Rs.9,84,000/- which was concerned to the alleged construction work which has not been completed.

The main submissions advanced by learned counsel Mr. Paras Nath for the petitioner are that the petitioner is a simple ward member of the concerned ward where the alleged construction work has to be completed and in actual the construction materials are lying at the construction site and due to petitioner being in custody the remaining construction work could not be completed and petitioner is ready to complete the said remaining construction work if he is released on bail and he also undertakes to submit the final report of the construction work before the concerned authority with regard to the alleged remaining work.

Learned APP Mr. Parmeshwar Mehta appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The petitioner has clean antecedent and as per the allegation the petitioner and President of concerned ward management committee did not get the alleged construction work completed till now, though as per the FIR some part of the said construction work has been completed by the accused persons



and the petitioner has taken the plea that the construction material is lying at the construction site and he is ready to get the remaining construction work completed at the earliest if he is given liberty to complete the same. In the light of these facts, the petitioner deserves a lenient approach of this Court but only for provisional bail. Accordingly, petitioner is directed to be released on provisional bail for the period of six months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Shakurabad P.S. Case No.51 of 2021.

The petitioner shall submit the work completion report before the Court below before the end of the provisional bail period. If the same is submitted then the Court below will confirm the provisional bail on the same bond and sureties taken under this order but if the petitioner fails to submit the said report then the Court below shall take serious action against him by cancelling his bail bond.

(Shailendra Singh, J.)

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