

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42387 of 2022

Arising Out of PS. Case No.-283 Year-2015 Thana- RANIGANJ District- Araria

SUBHASH KUMAR SINGH Son of Late Jananand Prasad Singh Resident of
village- Hansa ward no. 8, P.S- Raniganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-11-2022 Learned counsel for the petitioner is permitted to
remove the defect (s), as pointed out by the office, if any,
within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 409,420
of IPC.

The prosecution case, in short, is that on inquiry of
the Development Schemes under 13th financial scheme for the
year 2011-12, 2012-13, 2013-14 as well as 4th Finance
Commission, copy of inquiry report vide letter No.6 dated
04.06.2014 of A.D.M., Araria forwarded to D.D.C., Araria



found embezzlement and misappropriation of Govt. money under the scheme when the accused Mukhiya, Sarpanch, Panchayat Sachiv of the concerned Gram Panchayat, this case lodged against the petitioner who is agent of the scheme for co-accused Mukhiya, Panchayat Members, Panchayat Secretary for embezzlement and misappropriation of Govt. fund amount of Rs. 1,99,000/-.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the petitioner was agent of the Solar Lights at the funds of the Panchayat and petitioner has completed the work in question and Mukhiya and Panchayat Secretary of the Hansa Panchayat have given certificate dated 10.05.2015. Further submits that the similarly situated several co-accused persons have been granted privilege of anticipatory bail vide orders at Annexure 2 Series to the bail petition and the case of the petitioner is on similar footing.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Raniganj P.S. Case No. 283 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

