

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47478 of 2022**

Arising Out of PS. Case No.-135 Year-2022 Thana- BIBHUTIPUR District- Samastipur

RAM CHANDRA DAS son of lakshman Das Resident of Village- Mahisi,
P.S. Binhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Thakur

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 09-12-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State through

video conferencing .

The petitioner is seeking regular bail in connection

with Bibhutipur P.S. Case No. 135 of 2022, registered for the

offences punishable under Sections 409, 420 of the Indian Penal

Code.

The informant of this case is Panchayat Secretary of

Gram Panchayat Mahisi. He has made allegation that despite

receipt of the money of Rs. 12,00,000/-, the petitioner, who is



Ward Member, did not complete the work of Nal Jal Scheme.

The learned counsel for the petitioner has submitted that the supplier of hardware has not supplied the goods, despite receipt of cheque of Rs. 2,00,000/- and in this respect the petitioner has complained before the concerned police station, vide Annexure-3, but still the S.H.O. has not lodged the FIR against the supplier. The learned counsel for the petitioner has submitted further that the Mukhiya of the village along with other accused persons took cheque from the petitioner, but they did not perform the above-mentioned work of Nal Jal Yajona and in this respect, the petitioner has filed Complaint Petition No. 85 of 2022 in the court of 3rd Additional Sessions Judge-cum-Special Judge, SC/ST Act, Samastipur. He has also submitted that the petitioner is a person of clean antecedent and he is under custody since 27.05.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned SDJM, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 135 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of



trial and make himself available as and when
required by the court.

(ii) If the petitioner is found involved in future in the
similar type of offence, the prosecution will have
liberty to file an application before the court below for
cancellation of the bail of the petitioner and the
learned court below will take decision in accordance
with law.

Office shall ensure that all defects are removed by the
petitioner within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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